

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2003

 FORTY-NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 5, 2003

The House of Representatives convened at 12:00 noon and was called to order by Ron Abrams, Speaker pro tempore.

Prayer was offered by Father Mark Innocenti, Our Lady of Lourdes Catholic Church, Little Falls, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dempsey	Holberg	Lenczewski	Otremba	Soderstrom
Abrams	Dill	Hoppe	Lesch	Otto	Solberg
Adolphson	Dorman	Hornstein	Lieder	Ozment	Stang
Anderson, B.	Dorn	Howes	Lindgren	Paulsen	Strachan
Anderson, I.	Eastlund	Huntley	Lindner	Paymar	Swenson
Atkins	Eken	Jacobson	Lipman	Pelowski	Sykora
Beard	Ellison	Jaros	Magnus	Penas	Thao
Bernardy	Entenza	Johnson, J.	Mahoney	Peterson	Thissen
Biernat	Erhardt	Johnson, S.	Mariani	Powell	Tingelstad
Blaine	Erickson	Juhnke	Marquart	Pugh	Urdahl
Borrell	Finstad	Kahn	McNamara	Rhodes	Vandev eer
Boudreau	Fuller	Kelliher	Meslow	Rukavina	Wagenius
Bradley	Gerlach	Kielkucki	Mullery	Ruth	Walker
Brod	Greiling	Klinzing	Murphy	Samuelson	Walz
Buesgens	Gunther	Knoblach	Nelson, C.	Seagren	Wardlow
Carlson	Haas	Koenen	Nelson, M.	Seifert	Wasiluk
Cornish	Hackbarth	Kohls	Nelson, P.	Sertich	Westerberg
Cox	Harder	Krinkie	Nornes	Severson	Westrom
Davids	Hausman	Kuisle	Olsen, S.	Sieben	Wilkin
Davnie	Heidgerken	Lanning	Olson, M.	Simpson	Zellers
DeLaForest	Hilstrom	Larson	Opatz	Slawik	Spk. Sviggum
Demmer	Hilty	Latz	Osterman	Smith	

A quorum was present.

Clark and Goodwin were excused.

Anderson, J., was excused until 1:40 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. Pelowski moved that further reading of the Journals be suspended and that the Journals be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2003 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F.</i> <i>No.</i>	<i>H. F.</i> <i>No.</i>	<i>Session Laws</i> <i>Chapter No.</i>	<i>Time and</i> <i>Date Approved</i> <i>2003</i>	<i>Date Filed</i> <i>2003</i>
842		28	9:10 p.m. April 28	April 28

Sincerely,

MARY KIFFMEYER
Secretary of State

REPORTS OF STANDING COMMITTEES

Paulsen from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 606, A bill for an act relating to health; modifying prior authorization requirements for health care services; establishing requirements for provider contracting; modifying provisions for payment of claims; regulating disclosure of profiling data; amending Minnesota Statutes 2002, sections 62M.07; 62Q.74; 62Q.75, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2002, section 62Q.745.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Paulsen from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1493, A bill for an act relating to liquor; extending bar hours to 2:00 a.m.; amending Minnesota Statutes 2002, section 340A.504, subdivisions 1, 2, 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Paulsen from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 1080, A bill for an act relating to veterans homes; updating and correcting certain language; amending Minnesota Statutes 2002, sections 198.001, by adding a subdivision; 198.004, subdivision 1; 198.005; 198.007; repealing Minnesota Statutes 2002, sections 198.001, subdivision 7; 198.002, subdivision 5; 198.003, subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Paulsen from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 1282, A bill for an act relating to veterans; providing for placement in the capitol area of a statue commemorating Hmong veterans of the campaign in Laos during the Vietnam War.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 606 and 1493 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1080 and 1282 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Slawik; Bernardy; Hilstrom; Hausman; Latz; Greiling; Wagenius; Sieben; Ellison; Biernat; Johnson, S.; Walker; Kelliher; Paymar; Davnie; Lesch; Kahn; Carlson; Jaros; Hornstein; Mariani; Pugh; Thao; Clark; Goodwin and Thissen introduced:

H. F. No. 1595, A bill for an act relating to public safety; repealing the Personal Protection Act; repealing Laws 2003, chapter 28, article 2.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Anderson, B.; Strachan; Biernat and Juhnke introduced:

H. F. No. 1596, A bill for an act relating to drivers' licenses; modifying provisions related to driver instruction permits and provisional drivers' licenses; amending Minnesota Statutes 2002, sections 171.05, subdivision 2; 171.055, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Abrams, for the Committee on Taxes, introduced:

H. F. No. 1597, A bill for an act relating to financing and operation of state and local government; providing for job opportunity building zones; providing for a biotechnology and health services industry zone; changing income, corporate franchise, estate, sales and use, motor vehicle sales, property, minerals, gravel, cigarette and tobacco, liquor, mortgage registry and deed, healthcare provider, insurance premiums, hazardous waste generator, and other taxes and tax provisions; changing and providing powers and duties relating to tax administration, collection, compliance, and enforcement; updating provisions to the internal revenue code; changing provisions relating to the state elections campaign fund; changing June accelerated tax liability provisions and extending the requirements to other taxes; changing and providing for intergovernmental aids; imposing levy limits; changing truth in taxation provisions and providing for reverse referenda; providing for economic development incentives; changing tax increment financing provisions; changing certain levy and other provisions relating to the metropolitan council and the metropolitan mosquito control district; authorizing towns to impose certain charges; giving special powers to the cities of Medford, Newport, Moorhead, Duluth, and Hopkins; repealing certain local laws; establishing a legislative commission on unnecessary mandates; changing provisions relating to local impact notes; abolishing or providing for the expiration of certain funds and accounts; providing for cash flow and budget reserve accounts; providing for deposit of certain revenues in the general fund; providing for data disclosure; requiring studies and reports; providing for appointments; authorizing grants; imposing penalties; appropriating money; amending Minnesota Statutes 2002, sections 3.842, subdivision 4a; 3.843; 3.986, subdivision 4; 3.987, subdivision 1; 4A.02; 8.30; 10A.31, subdivisions 1, 3; 16A.152, subdivisions 1, 1b, 2, 7; 62J.694, subdivision 4; 115B.24, subdivision 8; 144.395, subdivision 3; 161.465; 168.27, subdivision 4a; 168A.03; 168A.05, subdivision 1a; 216B.2424, subdivision 5; 270.06; 270.10, subdivision 1a; 270.60, subdivision 4; 270.67, subdivision 4; 270.69, by adding a subdivision; 270.701, subdivision 2, by adding a subdivision; 270.72, subdivision 2; 270A.03, subdivision 2; 270B.12, by adding a subdivision; 272.02, subdivisions 31, 47, 48, 53, by adding subdivisions; 272.029, by adding a subdivision; 272.12; 273.01; 273.05, subdivision 1; 273.061, by adding subdivisions; 273.08; 273.11, subdivision 1a; 273.112, subdivision 3; 273.124, subdivisions 1, 14; 273.13, subdivisions 22, 23, 25; 273.1398, subdivisions 4a, 4b, 4c, 6; 273.372; 273.42, subdivision 2; 274.01, subdivision 1; 274.13, subdivision 1; 275.025, subdivisions 1, 3, 4; 275.065, subdivisions 1, 1a, 1c, 3, 6, 8, by adding a subdivision; 275.07, subdivision 1; 275.70, subdivisions 3, 5; 275.71, subdivisions 2, 4, 5, 6; 275.73, subdivision 2; 275.74, subdivision 3; 276.10; 276.11, subdivision 1; 277.20, subdivision 2; 278.01, subdivision 4; 278.05, subdivision 6; 279.06, subdivision 1; 281.17; 282.01, subdivision 7a; 282.08; 287.12; 287.29, subdivision 1; 287.31, by adding a subdivision; 289A.02, subdivision 7; 289A.10, subdivision 1; 289A.18, subdivision 4; 289A.19, subdivision 4; 289A.20, subdivision 4; 289A.31, subdivisions 3, 4, 7, by adding a subdivision; 289A.36, subdivision 7, by adding subdivisions; 289A.40, subdivision 2; 289A.50, subdivision 2a, by adding subdivisions; 289A.56, subdivisions 3, 4; 289A.60, subdivisions 7, 15, by adding a subdivision; 290.01, subdivisions 19, 19a, 19b, 19c, 19d, 29, 31; 290.05, subdivision 1; 290.06, subdivisions 2c, 23, 24, by adding subdivisions; 290.067, subdivision 1; 290.0671, subdivision 1; 290.0675, subdivisions 2, 3; 290.0679, subdivision 2; 290.0802, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivisions 2, 3; 290.17, subdivision 4; 290.191, subdivision 1; 290A.03, subdivisions 8, 15; 290C.02, subdivisions 3, 7; 290C.03; 290C.07; 290C.09; 290C.10; 290C.11; 291.005, subdivision 1; 291.03, subdivision 1; 295.50, subdivision 9b; 295.53, subdivision 1; 295.58; 297A.61, subdivisions 3, 7, 10, 12, 17, 30, 31, 34, by adding subdivisions; 297A.66, by adding a subdivision; 297A.665; 297A.668; 297A.67, subdivisions 2, 7, 8, by adding a subdivision; 297A.68, subdivisions 2, 4, 5, 36, by adding subdivisions; 297A.69, subdivisions 2, 3, 4; 297A.70, subdivisions 8, 16;

297A.71, by adding a subdivision; 297A.75, subdivision 4; 297A.81; 297A.82, subdivision 4; 297A.85; 297A.99, subdivisions 5, 10, 12; 297A.995, by adding a subdivision; 297B.01, subdivision 7; 297B.025, subdivisions 1, 2; 297B.03; 297B.035, subdivision 1, by adding a subdivision; 297F.01, subdivisions 21a, 23; 297F.05, subdivision 1; 297F.06, subdivision 4; 297F.08, subdivision 7; 297F.09, subdivisions 1, 2, by adding a subdivision; 297F.10, subdivision 1; 297F.20, subdivisions 1, 2, 3, 6, 9; 297G.01, by adding a subdivision; 297G.03, subdivision 1; 297G.09, by adding a subdivision; 297I.01, subdivision 9; 297I.20; 298.001, by adding a subdivision; 298.01, subdivisions 3, 3a, 4; 298.015, subdivisions 1, 2; 298.016, subdivision 4; 298.018; 298.24, subdivision 1; 298.27; 298.28, subdivisions 9a, 11; 298.75, subdivision 1; 325D.421, subdivision 2, by adding a subdivision; 349.16, by adding a subdivision; 352.15, subdivision 1; 353.15, subdivision 1; 354.10, subdivision 1; 354B.30; 354C.165; 366.011; 366.012; 469.169, by adding a subdivision; 469.1731, subdivision 3; 469.174, subdivisions 3, 6, 10, 25, by adding a subdivision; 469.175, subdivisions 1, 3, 4, 6; 469.176, subdivisions 1c, 2, 3, 4d, 4l, 7; 469.1763, subdivisions 1, 2, 3, 4, 6; 469.177, subdivisions 1, 12; 469.1771, subdivision 4, by adding a subdivision; 469.178, subdivision 7; 469.1791, subdivision 3; 469.1792, subdivisions 1, 2, 3; 469.1813, subdivision 8; 469.1815, subdivision 1; 473.167, subdivision 3; 473.246; 473.249, subdivision 1; 473.253, subdivision 1; 473.702; 473.711, subdivision 2a; 473F.07, subdivision 4; 477A.011, subdivisions 34, 36, by adding subdivisions; 477A.013, subdivisions 8, 9; 477A.03, subdivision 2; 515B.1-116; 611.27, subdivisions 13, 15; Laws 1997, chapter 231, article 10, section 25; Laws 2001, First Special Session chapter 5, article 3, section 61; Laws 2001, First Special Session chapter 5, article 3, section 63; Laws 2001, First Special Session chapter 5, article 9, section 12; Laws 2001, First Special Session chapter 5, article 12, section 95, as amended; Laws 2002, chapter 377, article 6, section 4; Laws 2002, chapter 377, article 7, section 3; Laws 2002, chapter 377, article 11, section 1; Laws 2002, chapter 377, article 12, section 17; proposing coding for new law in Minnesota Statutes, chapters 3; 123A; 270; 273; 274; 275; 276; 290C; 297A; 297F; 469; 477A; repealing Minnesota Statutes 2002, sections 37.13, subdivision 2; 270.691, subdivision 8; 273.138, subdivisions 2, 3, 6; 273.1398, subdivisions 2, 4, 4d; 273.166; 274.04; 275.065, subdivisions 3a, 4; 290.0671, subdivision 3; 290.0675, subdivision 5; 294.01; 294.02; 294.021; 294.03; 294.06; 294.07; 294.08; 294.09; 294.10; 294.11; 294.12; 297A.61, subdivisions 14, 15; 297A.69, subdivision 5; 297A.72, subdivision 1; 297A.97; 298.01, subdivisions 3c, 3d, 4d, 4e; 298.017; 298.24, subdivision 3; 298.28, subdivisions 9, 9b, 10; 298.2961; 298.297; 325E.112, subdivision 2a; 473.711, subdivision 2b; 477A.011, subdivision 37; 477A.0121; 477A.0122; 477A.0123; 477A.0132; 477A.03, subdivisions 3, 4; 477A.06; 477A.065; 477A.07; Laws 1984, chapter 652, section 2; Laws 2002, chapter 390, sections 36, 37, 38; Minnesota Rules, parts 8007.0300, subpart 3; 8009.7100; 8009.7200; 8009.7300; 8009.7400; 8092.1000; 8106.0100, subparts 11, 15, 16; 8106.0200; 8125.1000; 8125.1300, subpart 1; 8125.1400; 8130.0800, subparts 5, 12; 8130.1300; 8130.1600, subpart 5; 8130.1700, subparts 3, 4; 8130.4800, subpart 2; 8130.7500, subpart 5; 8130.8000; 8130.8300.

The bill was read for the first time and referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 437, A bill for an act relating to state government; making changes to public assistance programs, health care programs, long-term care, continuing care for persons with disabilities, human services licensing, county initiatives, and children's services; establishing the Community Services Act; changing estate recovery provisions for medical assistance; changing health department provisions; modifying local public health grants; changing child

care provisions; making forecast adjustments; appropriating money; amending Minnesota Statutes 2002, sections 16A.724; 61A.072, subdivision 6; 62A.315; 62A.48, by adding a subdivision; 62A.49, by adding a subdivision; 62A.65, subdivision 7; 62D.095, subdivision 2, by adding a subdivision; 62J.692, subdivision 4, by adding a subdivision; 62Q.19, subdivision 1; 62S.22, subdivision 1; 69.021, subdivision 11; 119B.011, subdivisions 5, 6, 15, 19, 21, by adding subdivisions; 119B.02, subdivision 1; 119B.03, subdivision 9; 119B.05, subdivision 1; 119B.08, subdivision 3; 119B.09, subdivisions 1, 2, 7, by adding subdivisions; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13, subdivisions 1, 2, 6, by adding subdivisions; 119B.16, subdivision 2, by adding subdivisions; 119B.19, subdivision 7; 119B.21, subdivision 11; 119B.23, subdivision 3; 124D.23, subdivision 2; 144.1222, by adding a subdivision; 144.125; 144.128; 144.1483; 144.1488, subdivision 4; 144.1491, subdivision 1; 144.1502, subdivision 4; 144.343, subdivision 1; 144.551, subdivision 1; 144A.04, subdivision 3, by adding a subdivision; 144A.071, subdivision 4a; 144A.10, by adding a subdivision; 144A.4605, subdivision 4; 144E.11, subdivision 6; 145.88; 145.881, subdivision 2; 145.882, subdivisions 1, 2, 3, 7, by adding a subdivision; 145.883, subdivisions 1, 9; 145A.02, subdivisions 5, 6, 7; 145A.06, subdivision 1; 145A.09, subdivisions 2, 4, 7; 145A.10, subdivisions 2, 10, by adding a subdivision; 145A.11, subdivisions 2, 4; 145A.12, subdivisions 1, 2, by adding a subdivision; 145A.13, by adding a subdivision; 145A.14, subdivision 2, by adding a subdivision; 147A.08; 148.5194, subdivisions 1, 2, 3, by adding a subdivision; 148.6445, subdivision 7; 153A.17; 174.30, subdivision 1; 179A.03, subdivision 7; 245.4932, subdivision 1; 245A.035, subdivision 3; 245A.04, subdivisions 3, 3b, 3d; 245A.09, subdivision 7; 245A.10; 245A.11, subdivisions 2a, 2b, by adding a subdivision; 245B.03, subdivision 2, by adding a subdivision; 245B.04, subdivision 2; 245B.06, subdivisions 2, 5, 8; 245B.07, subdivisions 6, 9, 11; 245B.08, subdivision 1; 246.54; 252.27, subdivision 2a; 252.32, subdivisions 1, 1a, 3, 3c; 252.41, subdivision 3; 252.46, subdivision 1; 253B.04, subdivision 1; 253B.05, subdivision 3; 256.01, subdivision 2; 256.012; 256.046, subdivision 1; 256.0471, subdivision 1; 256.476, subdivisions 3, 4, 5; 256.482, subdivision 8; 256.935, subdivision 1; 256.955, subdivisions 2a, 3, by adding subdivisions; 256.9657, subdivisions 1, 4, by adding a subdivision; 256.969, subdivisions 2b, 3a; 256.975, by adding a subdivision; 256.9754, subdivisions 2, 3, 4, 5; 256.98, subdivisions 3, 4, 8; 256.984, subdivision 1; 256B.055, by adding a subdivision; 256B.056, subdivisions 1a, 1c, 6; 256B.057, subdivisions 1, 2, 3b, 9, 10; 256B.0595, subdivisions 1, 2, by adding subdivisions; 256B.06, subdivision 4; 256B.061; 256B.0621, subdivision 4; 256B.0623, subdivisions 2, 4, 5, 6, 8; 256B.0625, subdivisions 5a, 9, 13, 17, 18a, 19c, 20, 23, by adding subdivisions; 256B.0627, subdivisions 1, 4, 9; 256B.0635, subdivisions 1, 2; 256B.064, subdivision 2; 256B.0911, subdivisions 3, 4d; 256B.0913, subdivisions 2, 4, 5, 6, 7, 8, 10, 12; 256B.0915, subdivision 3, by adding a subdivision; 256B.092, subdivisions 1a, 5; 256B.0945, subdivisions 2, 4; 256B.095; 256B.0951, subdivisions 1, 2, 3, 5, 7, 9; 256B.0952, subdivision 1; 256B.0953, subdivision 2; 256B.0955; 256B.15, subdivisions 1, 1a, 2, 3, 4, by adding subdivisions; 256B.19, subdivision 1; 256B.195, subdivisions 4, 5; 256B.31; 256B.32, subdivision 1; 256B.431, subdivisions 2r, 32, 36, by adding subdivisions; 256B.434, subdivisions 4, 10; 256B.47, subdivision 2; 256B.48, subdivision 1; 256B.501, subdivision 1, by adding a subdivision; 256B.5012, by adding a subdivision; 256B.5013, subdivision 4; 256B.5015; 256B.69, subdivisions 2, 4, 5a, 5c, by adding subdivisions; 256B.75; 256B.76; 256B.761; 256B.82; 256D.03, subdivisions 3, 3a, 4; 256D.06, subdivision 2; 256D.44, subdivision 5; 256D.46, subdivisions 1, 3; 256D.48, subdivision 1; 256F.10, subdivision 6; 256F.13, subdivisions 1, 2; 256G.05, subdivision 2; 256I.02; 256I.04, subdivision 3; 256I.05, subdivisions 1, 1a, 7c; 256J.01, subdivision 5; 256J.02, subdivision 2; 256J.021; 256J.08, subdivisions 35, 65, 82, 85, by adding subdivisions; 256J.09, subdivisions 2, 3, 3a, 3b, 8, 10; 256J.14; 256J.20, subdivision 3; 256J.21, subdivisions 1, 2; 256J.24, subdivisions 3, 5, 6, 7, 10; 256J.30, subdivision 9; 256J.31, subdivision 4; 256J.32, subdivisions 2, 4, 5a, by adding a subdivision; 256J.37, subdivision 9, by adding subdivisions; 256J.38, subdivisions 3, 4; 256J.40; 256J.42, subdivisions 4, 5, 6; 256J.425, subdivisions 1, 1a, 2, 3, 4, 6, 7; 256J.45, subdivision 2; 256J.46, subdivisions 1, 2, 2a; 256J.49, subdivisions 4, 5, 9, 13, by adding subdivisions; 256J.50, subdivisions 1, 8, 9, 10; 256J.51, subdivisions 1, 2, 3, 4; 256J.53, subdivisions 1, 2, 5; 256J.54, subdivisions 1, 2, 3, 5; 256J.55, subdivisions 1, 2; 256J.56; 256J.57; 256J.62, subdivision 9; 256J.645, subdivision 3; 256J.66, subdivision 2; 256J.67, subdivisions 1, 3; 256J.69, subdivision 2; 256J.75, subdivision 3; 256J.751, subdivisions 1, 2, 5; 256L.02, by adding a subdivision; 256L.03, subdivisions 1, 3, 5; 256L.04, subdivision 1; 256L.05, subdivisions 1, 3, 3a, 3c, 4; 256L.06, subdivision 3; 256L.07, subdivisions 1, 2, 3; 256L.09, subdivision 4; 256L.12, subdivisions 6, 9, by adding subdivisions; 256L.15, subdivisions 1, 2, 3; 256L.17, subdivision 2; 257.05; 259.67, subdivision 4; 260C.141, subdivision 2; 261.035; 261.063; 295.55, subdivision 2; 326.42; 393.07, subdivisions 1, 5, 10; 466.03, subdivision 6d; 514.981, subdivision 6; 518.167, subdivision 1;

518.551, subdivision 7; 518.6111, subdivisions 2, 3, 4, 16; 524.3-805; 626.559, subdivision 5; 641.15, subdivision 2; Laws 1997, chapter 203, article 9, section 21, as amended; proposing coding for new law as Minnesota Statutes, chapter 256M; proposing coding for new law in Minnesota Statutes, chapters 62S; 119B; 144; 144A; 145; 145A; 148C; 256; 256B; 256D; 256I; 256J; 514; repealing Minnesota Statutes 2002, sections 16A.151, subdivision 5; 16A.87; 62J.17; 62J.66; 62J.68; 62J.694; 119B.061; 144.126; 144.1484; 144.1494; 144.1495; 144.1496; 144.1497; 144.395; 144.396; 144.401; 144.9507, subdivision 3; 144A.071, subdivision 5; 144A.35; 144A.36; 144A.38; 145.56, subdivision 2; 145.882, subdivisions 4, 5, 6, 8; 145.883, subdivisions 4, 7; 145.884; 145.885; 145.886; 145.888; 145.889; 145.890; 145.9266, subdivisions 2, 4, 5, 6, 7; 145.928, subdivision 9; 145A.02, subdivisions 9, 10, 11, 12, 13, 14; 145A.09, subdivision 6; 145A.10, subdivisions 5, 6, 8; 145A.11, subdivision 3; 145A.12, subdivisions 3, 4, 5; 145A.14, subdivisions 3, 4; 145A.17, subdivisions 2, 9; 148.5194, subdivision 3a; 148.6445, subdivision 9; 245.4712, subdivision 2; 245.478; 245.4886; 245.4888; 245.496; 245.714; 252.32, subdivision 2; 254A.17; 256.955, subdivision 8; 256.973; 256.9772; 256B.055, subdivision 10a; 256B.056, subdivision 3c; 256B.057, subdivision 1b; 256B.0625, subdivisions 35, 36; 256B.0928; 256B.0945, subdivisions 6, 7, 8, 9, 10; 256B.195, subdivision 5; 256B.437, subdivision 2; 256B.83; 256E.01; 256E.02; 256E.03; 256E.04; 256E.05; 256E.06; 256E.07; 256E.08; 256E.081; 256E.09; 256E.10; 256E.11; 256E.115; 256E.13; 256E.14; 256E.15; 256F.01; 256F.02; 256F.03; 256F.04; 256F.05; 256F.06; 256F.07; 256F.08; 256F.10, subdivision 7; 256F.11; 256F.12; 256F.14; 256J.02, subdivision 3; 256J.08, subdivisions 28, 70; 256J.24, subdivision 8; 256J.30, subdivision 10; 256J.462; 256J.47; 256J.48; 256J.49, subdivisions 1a, 2, 6, 7; 256J.50, subdivisions 2, 3, 3a, 5, 7; 256J.52; 256J.62, subdivisions 1, 2a, 4, 6, 7, 8; 256J.625; 256J.655; 256J.74, subdivision 3; 256J.751, subdivisions 3, 4; 256J.76; 256K.30; 256L.02, subdivision 3; 256L.04, subdivision 9; 257.075; 257.81; 260.152; 626.562; Laws 1998, chapter 407, article 4, section 63; Laws 2000, chapter 488, article 10, section 29; Laws 2001, First Special Session chapter 3, article 1, section 16; Laws 2001, First Special Session chapter 9, article 13, section 24; Laws 2002, chapter 374, article 9, section 8; Minnesota Rules, parts 4705.0100; 4705.0200; 4705.0300; 4705.0400; 4705.0500; 4705.0600; 4705.0700; 4705.0800; 4705.0900; 4705.1000; 4705.1100; 4705.1200; 4705.1300; 4705.1400; 4705.1500; 4705.1600; 4736.0010; 4736.0020; 4736.0030; 4736.0040; 4736.0050; 4736.0060; 4736.0070; 4736.0080; 4736.0090; 4736.0120; 4736.0130; 4763.0100; 4763.0110; 4763.0125; 4763.0135; 4763.0140; 4763.0150; 4763.0160; 4763.0170; 4763.0180; 4763.0190; 4763.0205; 4763.0215; 4763.0220; 4763.0230; 4763.0240; 4763.0250; 4763.0260; 4763.0270; 4763.0285; 4763.0295; 4763.0300; 9505.0324; 9505.0326; 9505.0327; 9505.3045; 9505.3050; 9505.3055; 9505.3060; 9505.3068; 9505.3070; 9505.3075; 9505.3080; 9505.3090; 9505.3095; 9505.3100; 9505.3105; 9505.3107; 9505.3110; 9505.3115; 9505.3120; 9505.3125; 9505.3130; 9505.3138; 9505.3139; 9505.3140; 9505.3680; 9505.3690; 9505.3700; 9545.2000; 9545.2010; 9545.2020; 9545.2030; 9545.2040; 9550.0010; 9550.0020; 9550.0030; 9550.0040; 9550.0050; 9550.0060; 9550.0070; 9550.0080; 9550.0090; 9550.0091; 9550.0092; 9550.0093.

PATRICK E. FLAHAVERN, Secretary of the Senate

Bradley moved that the House refuse to concur in the Senate amendments to H. F. No. 437, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 627, A bill for an act relating to appropriations; appropriating money for transportation, public safety, and other purposes; authorizing issuance of state bonds; modifying provisions relating to reverse auctions, land appraisal, archaeological or historic sites, high-occupancy vehicle lanes, highways and transportation corridors, town line roads and easements, major transportation projects commission, advertisements for bids, regional railroad

authorities, city transit capital improvement projects in metropolitan area, bus rapid transit and other transit, bus operator liability, local government permits, and other transportation-related activities; providing for fees, funds and accounts, transfers, allocations, and expenditures; modifying provisions regulating special mobile equipment, special vehicle license plates, speed limits and other traffic regulations, vehicle weight limits and other vehicle regulations, vehicle insurance requirements, drivers' licenses and identification cards, essential employee status, the capitol complex security oversight committee, and other activities related to public safety; authorizing administrative powers, penalties, and remedies for public safety purposes; requiring studies and reports; making technical and clarifying changes; changing transit funding, aid, and tax levy provisions; amending Minnesota Statutes 2002, sections 10A.01, subdivision 24; 13.44, subdivision 3; 16A.88, subdivision 1; 16C.10, subdivision 7; 84.87, subdivision 1; 138.40, subdivisions 2, 3; 160.28, by adding a subdivision; 161.08; 161.20, subdivision 3; 164.12; 168.011, subdivision 22; 168.013, subdivision 3; 168.12, subdivision 5; 168.54, subdivision 4; 168A.29, subdivision 1; 169.14, subdivision 5a, by adding a subdivision; 169.18, subdivision 11; 169.791, subdivision 1; 169.796, by adding a subdivision; 169.797, subdivision 4a; 169.798, subdivision 1, by adding a subdivision; 169.826, subdivision 1, by adding a subdivision; 169.86, subdivision 5; 169.87, by adding a subdivision; 171.06, subdivision 3; 171.07, subdivisions 1, 3; 171.13, by adding a subdivision; 171.14; 171.20, subdivision 4; 171.22, subdivision 2; 171.29, subdivision 2; 174.03, subdivision 6a; 174.22, by adding a subdivision; 174.24, subdivisions 1, 3b; 174.55, subdivision 2; 179A.03, subdivision 7; 179A.10, subdivision 2; 275.065, subdivision 3; 275.71, subdivision 5; 297B.09, subdivision 1; 299A.465, subdivision 4; 299E.01, by adding a subdivision; 299E.03, subdivision 3; 398A.03, subdivision 1; 471.345, subdivision 14; 473.399, subdivision 1; 473.3994, subdivision 2; 473.3997; 473.446, subdivision 1; 609.531, subdivision 1; Laws 1999, chapter 238, article 1, section 2, subdivision 2; Laws 2000, chapter 433, section 4; Laws 2001, First Special Session chapter 8, article 1, section 2, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 117; 160; 168; 171; 299A; 331A; 373; 398A; 414; 473; repealing Minnesota Statutes 2002, sections 16A.88, subdivision 3; 169.794; 169.799; 174.242; Minnesota Rules, parts 7403.1300; 7413.0400; 7413.0500.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kuisle moved that the House refuse to concur in the Senate amendments to H. F. No. 627, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 779, A bill for an act relating to state government; appropriating money for environmental, natural resources, agricultural, and rural development purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending Minnesota Statutes 2002, sections 16A.531, subdivision 1, by adding a subdivision; 17.451; 17.452, subdivisions 8, 10, 11, 12, 13, by adding subdivisions; 17.4988; 18.525; 18.78; 18.79, subdivisions 2, 3, 5, 6, 9, 10; 18.81, subdivisions 2, 3; 18.84, subdivision 3; 18.86; 18B.10; 18B.26, subdivision 3; 18B.37, by adding a subdivision; 21.89, subdivision 2; 21.90, subdivision 2; 21.901; 28A.08, subdivision 3; 28A.085, subdivision 1; 28A.09, subdivision 1; 32.394, subdivisions 8, 8b, 8d; 35.155; 38.02, subdivision 1; 41A.09, subdivisions 1, 2a, 3a, by adding subdivisions; 84.027, subdivision 13; 84.029, subdivision 1; 84.085, subdivision 1; 84.091, subdivisions 2, 3; 84.0911; 84.788, subdivisions 2, 3; 84.794, subdivision 2; 84.803, subdivision 2; 84.92, subdivision 8; 84.927, subdivision 2; 84A.02; 84A.21; 84A.32, subdivision 1; 84A.55, subdivision 8; 84D.14; 85.015, by adding a subdivision; 85.04; 85.052, subdivision 3; 85.053, subdivision 1; 85.055, subdivision 1; 85A.02, subdivision 17; 88.17, subdivision 1, by adding

a subdivision; 97A.015, subdivisions 24, 52; 97A.045, subdivision 7, by adding a subdivision; 97A.071, subdivision 2; 97A.075, subdivisions 1, 2, 4, by adding a subdivision; 97A.105, subdivision 1; 97A.401, subdivision 3; 97A.411, subdivision 2; 97A.441, subdivision 7, by adding a subdivision; 97A.475, subdivisions 2, 3, 4, 5, 10, 15, 26, 27, 28, 29, 30, 38, 39, 40, 42, by adding a subdivision; 97A.505, by adding subdivisions; 97B.311; 103B.231, subdivision 3a; 103B.305, subdivision 3, by adding subdivisions; 103B.311, subdivisions 1, 2, 3, 4; 103B.315, subdivisions 4, 5, 6; 103B.321, subdivisions 1, 2; 103B.325, subdivisions 1, 2; 103B.331, subdivisions 1, 2, 3; 103B.3363, subdivision 3; 103B.3369, subdivisions 2, 4, 5, 6; 103B.355; 103D.341, subdivision 2; 103D.345, by adding a subdivision; 103D.405, subdivision 2; 103D.537; 103G.005, subdivision 10e; 103G.222, subdivisions 1, 3; 103G.2242, by adding subdivisions; 103G.271, subdivisions 6, 6a, by adding a subdivision; 103G.611, subdivision 1; 103G.615, subdivision 2; 103I.235, subdivision 1; 115.03, by adding subdivisions; 115.073; 115.56, subdivision 4; 115A.0716, subdivision 3; 115A.54, by adding a subdivision; 115A.545, subdivision 2; 115A.908, subdivision 2; 115A.9651, subdivision 6; 115B.17, subdivisions 6, 7, 14, 16; 115B.19; 115B.20; 115B.22, subdivision 7; 115B.25, subdivisions 1a, 4; 115B.26; 115B.30; 115B.31, subdivisions 1, 3, 4; 115B.32, subdivision 1; 115B.33, subdivision 1; 115B.34; 115B.36; 115B.40, subdivision 4; 115B.41, subdivisions 1, 2, 3; 115B.42, subdivision 2; 115B.421; 115B.445; 115B.48, subdivision 2; 115B.49, subdivisions 1, 3; 115C.02, subdivision 14; 115C.08, subdivision 4; 115C.09, subdivision 3, by adding subdivisions; 115C.11, subdivision 1; 115C.13; 115D.12, subdivision 2; 116.03, subdivision 2; 116.07, subdivisions 4d, 4h, 7a; 116.073, subdivisions 1, 2; 116.46, by adding subdivisions; 116.49, by adding subdivisions; 116.50; 116.994; 116C.834, subdivision 1; 116D.04, subdivisions 2a, 10, 11, 13, by adding a subdivision; 116O.09, subdivisions 1, 1a, 2, 3, 9, 12, 13, by adding subdivisions; 116P.02, subdivision 1; 116P.05, subdivision 2; 116P.09, subdivisions 4, 5, 7; 116P.10; 116P.14, subdivisions 1, 2; 297A.94; 297F.10, subdivision 1; 297H.13, subdivisions 1, 2; 325E.10, subdivision 1; 469.175, subdivision 7; 473.843, subdivision 2; 473.844, subdivision 1; 473.845, subdivisions 1, 3, 7, 8; 473.846; Laws 2002, chapter 355, section 4, as amended; proposing coding for new law in Minnesota Statutes, chapters 18; 21; 84; 84B; 97B; 103B; 115C; 116; repealing Minnesota Statutes 2002, sections 1.31; 1.32; 17.110; 18.51; 18.52; 18.53; 18.54; 18.79, subdivisions 1, 7, 11; 18.85; 41A.09, subdivisions 1a, 5a, 6, 7, 8; 84.0887; 84.98; 84.99; 93.2235; 97A.105, subdivisions 3a, 3b; 97A.485, subdivision 12; 97B.731, subdivision 2; 103B.311, subdivisions 5, 6, 7; 103B.315, subdivisions 1, 2, 3, 7; 103B.321, subdivision 3; 103B.3369, subdivision 3; 115B.02, subdivision 1a; 115B.42, subdivision 1; 297H.13, subdivisions 3, 4; 325E.112, subdivisions 2, 3; 325E.113; 473.845, subdivision 4; Minnesota Rules, parts 1510.0281; 9300.0010; 9300.0020; 9300.0030; 9300.0040; 9300.0050; 9300.0060; 9300.0070; 9300.0080; 9300.0090; 9300.0100; 9300.0110; 9300.0120; 9300.0130; 9300.0140; 9300.0150; 9300.0160; 9300.0170; 9300.0180; 9300.0190; 9300.0200; 9300.0210.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ozment moved that the House refuse to concur in the Senate amendments to H. F. No. 779, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1404, A bill for an act relating to education; providing for kindergarten through grade 12 education including general education, education excellence, special programs, facilities and technology, nutrition, school accounting, other programs, deficiencies, state agencies, and academic content standard; providing for libraries; providing for early childhood and family education including early childhood family support, prevention, and self-sufficiency; requiring a school district primary election in certain circumstances; providing for recitation of the

pledge of allegiance; providing for technical amendments to certain education provisions; changing the name of the department of children, families, and learning to the department of education; providing for teacher/school board contract arbitration and post arbitration procedures; providing for rulemaking; appropriating money; amending Minnesota Statutes 2002, sections 12.21, subdivision 3; 15.01; 84A.51, subdivision 4; 119A.01, subdivision 2; 119A.02, subdivisions 2, 3; 119A.52; 119B.011, subdivisions 8, 10, 20; 120A.02; 120A.05, subdivisions 4, 7, 9; 120A.24, subdivision 4; 120A.41; 121A.11, by adding subdivisions; 121A.21; 121A.23, subdivision 1, by adding a subdivision; 121A.41, subdivision 10; 121A.50; 121A.55; 121A.64; 122A.09, subdivision 10; 122A.12, subdivisions 1, 2; 122A.18, subdivision 7a; 122A.21; 122A.22; 122A.41, subdivision 2; 122A.414, by adding a subdivision; 122A.415, subdivisions 1, 3; 122A.63, subdivision 3; 123A.06, subdivision 3; 123A.18, subdivision 2; 123A.73, subdivisions 3, 4, 5; 123B.02, subdivisions 1, 14; 123B.36, subdivision 1; 123B.49, subdivision 4; 123B.51, subdivisions 3, 4; 123B.52, by adding a subdivision; 123B.53, subdivision 4; 123B.57, subdivisions 1, 4, 6; 123B.59, subdivisions 1, 2, 3, 5, by adding a subdivision; 123B.63, subdivisions 1, 2, 3, 4; 123B.72, subdivision 3; 123B.88, subdivision 2; 123B.90, subdivisions 2, 3; 123B.91, subdivision 1; 123B.92, subdivisions 1, 3, 9; 123B.93; 124D.03, subdivision 12; 124D.081, by adding a subdivision; 124D.09, subdivisions 3, 9, 10, 13, 16, 20; 124D.10, subdivisions 2a, 3, 4, 8, 13, 16, 20, 23a; 124D.11, subdivisions 1, 2, 4, 6, 9; 124D.118, subdivision 4; 124D.128, subdivisions 3, 6; 124D.13, subdivisions 2, 4, 8, 11; 124D.135, subdivisions 1, 8; 124D.15, subdivision 7; 124D.16, subdivisions 1, 6; 124D.19, subdivision 3; 124D.20, subdivisions 3, 5, by adding subdivisions; 124D.22, subdivision 3; 124D.42, subdivision 6; 124D.454, subdivisions 1, 2, 3, 8, 10, by adding a subdivision; 124D.52, subdivisions 1, 3; 124D.531, subdivisions 1, 2, 4, 7; 124D.59, subdivision 2; 124D.65, subdivision 5; 124D.86, subdivisions 1a, 3, 4, 5, 6; 125A.05; 125A.12; 125A.21, subdivision 2; 125A.28; 125A.30; 125A.76, subdivisions 1, 4; 125A.79, subdivisions 1, 6; 125B.21; 126C.05, subdivisions 1, 8, 14, 15, 16, 17, by adding a subdivision; 126C.10, subdivisions 1, 3, 4, 17, 18, 24, 28, by adding subdivisions; 126C.13, subdivision 4; 126C.15, subdivision 1; 126C.17, subdivisions 1, 2, 5, 7, 7a, 9, 13; 126C.21, subdivision 3; 126C.40, subdivision 1; 126C.42, subdivision 1; 126C.43, subdivisions 2, 3; 126C.44; 126C.45; 126C.457; 126C.48, subdivision 3; 126C.55, subdivision 5; 126C.63, subdivisions 5, 8; 126C.69, subdivisions 2, 9; 127A.05, subdivisions 1, 3, 4; 127A.45, subdivisions 2, 3, 7a, 10, 12, 13, 14, 14a, 16; 127A.47, subdivisions 7, 8; 127A.49, subdivisions 2, 3; 128C.05, by adding a subdivision; 128D.11, subdivision 8; 134.34, subdivision 4; 169.26, subdivision 3; 169.28, subdivision 1; 169.435; 169.449, subdivision 1; 169.4501, subdivisions 3, 4; 169.4503, subdivision 4; 169.454, subdivision 6; 169.973, subdivision 1; 171.321, subdivision 5; 177.42, subdivision 2; 178.02, subdivision 1; 205A.03, subdivisions 1, 3, 4; 205A.06, subdivision 1a; 268.052, subdivisions 2, 4; 273.138, subdivision 6; 298.28, subdivision 4; 475.61, subdivisions 1, 3, 4; Laws 1965, chapter 705, as amended; Laws 2001, First Special Session chapter 6, article 2, section 64; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 123B; 124D; 125A; 126C; repealing Minnesota Statutes 2002, sections 15.014, subdivision 3; 93.22, subdivision 2; 93.223, subdivision 1; 119A.01, subdivision 1; 120B.23; 121A.49; 122A.60; 122A.61; 122A.62; 122A.64; 122A.65; 123A.73, subdivisions 7, 10, 11; 123B.05; 123B.59, subdivisions 6, 7; 123B.81, subdivision 6; 123B.90, subdivision 1; 124D.09, subdivision 15; 124D.115; 124D.1156; 124D.17; 124D.21; 124D.221; 124D.54; 124D.65, subdivision 4; 124D.84, subdivision 2; 124D.89; 124D.93; 125A.023, subdivision 5; 125A.09; 125A.47; 125A.79, subdivision 2; 125B.11; 126C.01, subdivision 4; 126C.05, subdivision 12; 126C.12; 126C.125; 126C.14; 126C.445; 126C.55, subdivision 5; 127A.41, subdivision 6; 144.401, subdivision 5; 169.441, subdivision 4; 239.004; Laws 1993, chapter 224, article 8, section 20, subdivision 2, as amended; Laws 2000, chapter 489, article 2, section 36, as amended; Laws 2001, First Special Session chapter 3, article 4, sections 1, 2; Laws 2001, First Special Session chapter 6, article 2, section 52; Laws 2001, First Special Session chapter 6, article 5, section 12, as amended; Minnesota Rules, parts 3500.0600; 3520.0400; 3520.1400; 3520.3300; 3530.1500; 3530.2700; 3530.4400; 3530.4500; 3530.4700; 3550.0100.

PATRICK E. FLAHAVEN, Secretary of the Senate

Seagren moved that the House refuse to concur in the Senate amendments to H. F. No. 1404, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Paulsen from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following additional bills to be placed on the Calendar for the Day for Monday, May 5, 2003:

H. F. Nos. 471 and 385; S. F. No. 942; H. F. Nos. 988 and 1244; S. F. No. 1071; H. F. Nos. 943 and 414; and S. F. No. 1098.

CALENDAR FOR THE DAY

S. F. No. 515, A bill for an act relating to criminal justice; modifying structure of financial crimes task force and modifying related policies; repealing sunset provision; amending Minnesota Statutes 2002, section 299A.68.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hoppe	Lesch	Otto	Solberg
Abrams	Dill	Hornstein	Lieder	Ozment	Stang
Adolphson	Dorman	Howes	Lindgren	Paulsen	Strachan
Anderson, B.	Dorn	Huntley	Lindner	Paymar	Swenson
Anderson, I.	Eastlund	Jacobson	Lipman	Pelowski	Sykora
Atkins	Eken	Jaros	Magnus	Penas	Thao
Beard	Entenza	Johnson, J.	Mahoney	Peterson	Thissen
Bernardy	Erhardt	Johnson, S.	Mariani	Powell	Tingelstad
Biernat	Erickson	Juhnke	Marquart	Pugh	Urdahl
Blaine	Finstad	Kahn	McNamara	Rhodes	Vandever
Borrell	Fuller	Kelliher	Meslow	Rukavina	Wagenius
Boudreau	Gerlach	Kielkucki	Mullery	Ruth	Walker
Bradley	Greiling	Klinzing	Murphy	Samuelson	Walz
Brod	Gunther	Knoblach	Nelson, C.	Seagren	Wardlow
Buesgens	Haas	Koenen	Nelson, M.	Seifert	Wasiluk
Carlson	Hackbarth	Kohls	Nelson, P.	Sertich	Westerberg
Cornish	Harder	Krinkie	Nornes	Severson	Westrom
Cox	Hausman	Kuisle	Olsen, S.	Sieben	Wilkin
Davids	Heidgerken	Lanning	Olson, M.	Simpson	Zellers
Davnie	Hilstrom	Larson	Opatz	Slawik	Spk. Sviggum
DeLaForest	Hilty	Latz	Osterman	Smith	
Demmer	Holberg	Lenczewski	Otremba	Soderstrom	

The bill was passed and its title agreed to.

H. F. No. 1336 was reported to the House.

Seagren moved that H. F. No. 1336 be temporarily laid over on the Calendar for the Day. The motion prevailed.

H. F. No. 326 was reported to the House.

Samuelson moved to amend H. F. No. 326, the first engrossment, as follows:

Page 3, line 19, delete "license period" and insert "continuing education cycle"

Page 3, line 34, delete "may" and insert "shall"

Page 4, line 4, after "a" insert "Minnesota-based"

Page 4, line 11, after "applicable." insert "The board may waive the clinical examination for an applicant who meets the requirements of this paragraph and has satisfactorily completed an accredited postdoctoral general dentistry residency program located outside of Minnesota."

Page 7, line 14, after the headnote insert "(a)"

Page 7, line 23, after "enamel" delete the comma and insert "."

(b) The restorative procedures described in paragraph (a) may be performed only"

Page 7, line 24, delete "(i)" and insert "(1)"

Page 7, line 27, delete "(ii)" and insert "(2)"

Page 7, delete lines 31 to 34

Page 7, line 35, delete "(iv)" and insert "(3)"

Page 8, line 1, delete "(v)" and insert "(4)"

Page 8, after line 2, insert:

"(c) The dental faculty who teaches the educators of the board-approved courses specified in paragraph (b) must have prior experience teaching these procedures in an accredited dental education program."

Page 9, line 25, delete "Section 3" and insert "Minnesota Statutes 2002, section 150A.06, subdivision 3, paragraph (b)"

The motion prevailed and the amendment was adopted.

H. F. No. 326, A bill for an act relating to health; modifying dental practice provisions; amending Minnesota Statutes 2002, sections 150A.06, subdivisions 1a, 3, by adding a subdivision; 150A.10, subdivision 1a, by adding a subdivision; 256B.55, subdivisions 3, 4, 5.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holberg	Lenczewski	Otremba	Soderstrom
Abrams	Dill	Hoppe	Lesch	Otto	Solberg
Adolphson	Dorman	Hornstein	Lieder	Ozment	Stang
Anderson, B.	Dorn	Howes	Lindgren	Paulsen	Strachan
Anderson, I.	Eastlund	Huntley	Lindner	Paymar	Swenson
Atkins	Eken	Jacobson	Lipman	Pelowski	Sykora
Beard	Ellison	Jaros	Magnus	Penas	Thao
Bernardy	Entenza	Johnson, J.	Mahoney	Peterson	Thissen
Biernat	Erhardt	Johnson, S.	Mariani	Powell	Tingelstad
Blaine	Erickson	Juhnke	Marquart	Pugh	Urdahl
Borrell	Finstad	Kahn	McNamara	Rhodes	Vandev eer
Boudreau	Fuller	Kelliher	Meslow	Rukavina	Wagenius
Bradley	Gerlach	Kielkucki	Mullery	Ruth	Walker
Brod	Greiling	Klinzing	Murphy	Samuelson	Walz
Buesgens	Gunther	Knoblach	Nelson, C.	Seagren	Wardlow
Carlson	Haas	Koenen	Nelson, M.	Seifert	Wasiluk
Cornish	Hackbarth	Kohls	Nelson, P.	Sertich	Westerberg
Cox	Harder	Krinkie	Nornes	Severson	Westrom
Davids	Hausman	Kuisle	Olsen, S.	Sieben	Wilkin
Davnie	Heidgerken	Lanning	Olson, M.	Simpson	Zellers
DeLaForest	Hilstrom	Larson	Opatz	Slawik	Spk. Sviggum
Demmer	Hilty	Latz	Osterman	Smith	

The bill was passed, as amended, and its title agreed to.

H. F. No. 279, A bill for an act relating to health; modifying provisions for certifying a physical disability; modifying provisions for admitting a person for emergency care of mental illness or mental retardation; amending Minnesota Statutes 2002, sections 147A.09, subdivision 2; 169.345, subdivision 2a; 253B.05, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Ellison	Heidgerken	Kahn	Lesch
Abrams	Cornish	Entenza	Hilstrom	Kelliher	Lieder
Adolphson	Cox	Erhardt	Hilty	Kielkucki	Lindgren
Anderson, I.	Davids	Erickson	Holberg	Klinzing	Lindner
Atkins	Davnie	Finstad	Hoppe	Knoblach	Lipman
Beard	DeLaForest	Fuller	Hornstein	Koenen	Magnus
Bernardy	Demmer	Gerlach	Howes	Kohls	Mariani
Biernat	Dempsey	Greiling	Huntley	Krinkie	Marquart
Blaine	Dill	Gunther	Jacobson	Kuisle	McNamara
Borrell	Dorman	Haas	Jaros	Lanning	Meslow
Boudreau	Dorn	Hackbarth	Johnson, J.	Larson	Mullery
Bradley	Eastlund	Harder	Johnson, S.	Latz	Murphy
Brod	Eken	Hausman	Juhnke	Lenczewski	Nelson, C.

Nelson, M.	Paulsen	Ruth	Smith	Tingelstad	Westrom
Nelson, P.	Paymar	Samuelson	Soderstrom	Urdahl	Wilkin
Nornes	Pelowski	Seagren	Solberg	Vandever	Zellers
Olsen, S.	Penas	Seifert	Stang	Wagenius	Spk. Sviggum
Opatz	Peterson	Sertich	Strachan	Walker	
Osterman	Powell	Severson	Swenson	Walz	
Otremba	Pugh	Sieben	Sykora	Wardlow	
Otto	Rhodes	Simpson	Thao	Wasiluk	
Ozment	Rukavina	Slawik	Thissen	Westerberg	

Those who voted in the negative were:

Anderson, B.	Buesgens	Olson, M.
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The bill was passed and its title agreed to.

H. F. No. 643 was reported to the House.

Kuisle moved to amend H. F. No. 643, the first engrossment, as follows:

Pages 5 and 6, delete section 7

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 643, A bill for an act relating to motor vehicles; modifying definition of registered owner of motor vehicle; regulating temporary registration permits for vehicles; modifying registration renewal notice procedures; modifying procedures relating to vehicle transactions with dealers; clarifying regulatory responsibilities for vehicle insurance; modifying provisions governing expiration dates for drivers' licenses and identification cards; making clarifying changes; amending Minnesota Statutes 2002, sections 168.011, subdivision 5a; 168.09, subdivision 7; 168.11, subdivision 3; 168.187, by adding a subdivision; 168A.11; 169.798, subdivision 1; 171.07, subdivision 4; 171.27.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Anderson, B.	Beard	Blaine	Bradley	Carlson
Abrams	Anderson, I.	Bernardy	Borrell	Brod	Cornish
Adolphson	Atkins	Biernat	Boudreau	Buesgens	Cox

Davids	Haas	Kielkucki	McNamara	Peterson	Swenson
Davnie	Hackbarth	Klinzing	Meslow	Powell	Sykora
DeLaForest	Harder	Knoblach	Mullery	Pugh	Thao
Demmer	Hausman	Koenen	Murphy	Rhodes	Thissen
Dempsey	Heidgerken	Kohls	Nelson, C.	Rukavina	Tingelstad
Dill	Hilstrom	Kuisle	Nelson, M.	Ruth	Urdahl
Dorman	Hilty	Lanning	Nelson, P.	Samuelson	Vandever
Dorn	Holberg	Larson	Nornes	Seagren	Wagenius
Eastlund	Hoppe	Latz	Olsen, S.	Seifert	Walker
Eken	Hornstein	Lenczewski	Olson, M.	Sertich	Walz
Ellison	Howes	Lesch	Opatz	Severson	Wardlow
Entenza	Huntley	Lieder	Osterman	Sieben	Wasiluk
Erhardt	Jacobson	Lindgren	Otremba	Simpson	Westerberg
Erickson	Jaros	Lindner	Otto	Slawik	Westrom
Finstad	Johnson, J.	Lipman	Ozment	Smith	Wilkin
Fuller	Johnson, S.	Magnus	Paulsen	Soderstrom	Zellers
Gerlach	Juhnke	Mahoney	Paymar	Solberg	Spk. Sviggum
Greiling	Kahn	Mariani	Pelowski	Stang	
Gunther	Kelliher	Marquart	Penas	Strachan	

Those who voted in the negative were:

Krinkie

The bill was passed, as amended, and its title agreed to.

H. F. No. 1044, A bill for an act relating to professions; providing clarification of costs and penalties that may be collected in disciplinary proceedings by the boards of nursing home administrators, optometry, chiropractic examiners, physical therapy, dietetics and nutrition practice, dentistry, podiatric medicine, pharmacy, and veterinary medicine; providing for civil penalties; amending Minnesota Statutes 2002, sections 148.10, subdivision 3; 148.603; 148.631; 150A.08, subdivision 3, by adding a subdivision; 151.06, by adding a subdivision; 153.22, subdivisions 1, 5; 156.127, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapters 144A; 148.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Entenza	Hilty	Knoblach	Magnus
Abrams	Cornish	Erhardt	Hoppe	Koenen	Mahoney
Anderson, I.	Cox	Finstad	Hornstein	Kuisle	Mariani
Atkins	Davids	Fuller	Howes	Lanning	Marquart
Beard	Davnie	Greiling	Huntley	Larson	McNamara
Bernardy	Demmer	Gunther	Jacobson	Latz	Meslow
Biernat	Dempsey	Haas	Jaros	Lenczewski	Mullery
Blaine	Dill	Hackbarth	Johnson, S.	Lesch	Murphy
Borrell	Dorman	Harder	Juhnke	Lieder	Nelson, C.
Boudreau	Dorn	Hausman	Kahn	Lindgren	Nelson, M.
Bradley	Eken	Heidgerken	Kelliher	Lindner	Nelson, P.
Brod	Ellison	Hilstrom	Klinzing	Lipman	Nornes

Olsen, S.	Pelowski	Seagren	Soderstrom	Tingelstad	Westrom
Opatz	Penas	Seifert	Solberg	Urdahl	Wilkin
Osterman	Peterson	Sertich	Stang	Vandever	Zellers
Otremba	Powell	Severson	Strachan	Wagenius	Spk. Sviggum
Otto	Pugh	Sieben	Swenson	Walker	
Ozment	Rhodes	Simpson	Sykora	Walz	
Paulsen	Ruth	Slawik	Thao	Wardlow	
Paymar	Samuelson	Smith	Thissen	Westerberg	

Those who voted in the negative were:

Adolphson	DeLaForest	Gerlach	Kielkucki	Olson, M.
Anderson, B.	Eastlund	Holberg	Kohls	Rukavina
Buesgens	Erickson	Johnson, J.	Krinkie	

The bill was passed and its title agreed to.

H. F. No. 981 was reported to the House.

Holberg moved that H. F. No. 981 be continued on Calendar for the Day. The motion prevailed.

The Speaker assumed the Chair.

S. F. No. 433, A bill for an act relating to human services; requiring specialized Alzheimer's disease training in certain facilities and services; providing for consumer disclosure; amending Minnesota Statutes 2002, sections 144A.45, by adding a subdivision; 245A.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 144; 144D.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Abeler	Cox	Erickson	Howes	Lenczewski	Nelson, C.
Abrams	Davids	Finstad	Huntley	Lesch	Nelson, M.
Anderson, I.	Davnie	Fuller	Jaros	Lieder	Nelson, P.
Atkins	Demmer	Greiling	Johnson, S.	Lindgren	Nornes
Bernardy	Dempsey	Gunther	Juhnke	Lipman	Olsen, S.
Biernat	Dill	Haas	Kahn	Magnus	Opatz
Blaine	Dorman	Hackbarth	Kelliher	Mahoney	Osterman
Borrell	Dorn	Harder	Knoblach	Mariani	Otremba
Boudreau	Eastlund	Hausman	Koenen	Marquart	Otto
Bradley	Eken	Heidgerken	Kuisle	McNamara	Ozment
Brod	Ellison	Hilstrom	Lanning	Meslow	Paulsen
Carlson	Entenza	Hilty	Larson	Mullery	Paymar
Cornish	Erhardt	Hornstein	Latz	Murphy	Pelowski

Penas	Samuelson	Slawik	Swenson	Vandev eer	Westrom
Peterson	Seagren	Smith	Sykora	Wagenius	Wilkin
Powell	Seifert	Soderstrom	Thao	Walker	Zellers
Pugh	Sertich	Solberg	Thissen	Walz	Spk. Sviggum
Rhodes	Severson	Stang	Tingelstad	Wardlow	
Ruth	Sieben	Strachan	Urdahl	Wasiluk	

Those who voted in the negative were:

Adolphson	DeLaForest	Jacobson	Kohls	Rukavina
Anderson, B.	Gerlach	Johnson, J.	Krinkie	Simpson
Beard	Holberg	Kielkucki	Lindner	Westerberg
Buesgens	Hoppe	Klinzing	Olson, M.	

The bill was passed and its title agreed to.

H. F. No. 471, A bill for an act relating to elections; requiring primaries in certain school district elections; amending Minnesota Statutes 2002, sections 205A.03, subdivisions 1, 3, 4; 205A.06, subdivision 1a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 95 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Heidgerken	Lanning	Nelson, P.	Sieben
Abrams	Dorman	Hilstrom	Lenczewski	Nornes	Simpson
Adolphson	Dorn	Hilty	Lesch	Olsen, S.	Soderstrom
Anderson, B.	Eastlund	Hoppe	Lieder	Olson, M.	Stang
Beard	Eken	Howes	Lindgren	Opatz	Strachan
Blaine	Entenza	Huntley	Lindner	Ozment	Swenson
Borrell	Erhardt	Jacobson	Lipman	Paulsen	Sykora
Boudreau	Erickson	Johnson, J.	Magnus	Pelowski	Tingelstad
Bradley	Finstad	Juhnke	Mahoney	Penas	Urdahl
Brod	Fuller	Kahn	Mariani	Peterson	Wagenius
Carlson	Gerlach	Kielkucki	McNamara	Rhodes	Walz
Cornish	Greiling	Klinzing	Meslow	Ruth	Wardlow
Cox	Gunther	Knoblach	Mullery	Samuelson	Wilkin
Davids	Haas	Kohls	Murphy	Seagren	Zellers
DeLaForest	Hackbarth	Krinkie	Nelson, C.	Seifert	Spk. Sviggum
Demmer	Harder	Kuisle	Nelson, M.	Severson	

Those who voted in the negative were:

Anderson, I.	Hausman	Koenen	Otto	Slawik	Walker
Atkins	Holberg	Larson	Paymar	Smith	Wasiluk
Bernardy	Hornstein	Latz	Powell	Solberg	Westerberg
Biernat	Jaros	Marquart	Pugh	Thao	Westrom
Buesgens	Johnson, S.	Osterman	Rukavina	Thissen	
Dill	Kelliher	Otremba	Sertich	Vandev eer	

The bill was passed and its title agreed to.

H. F. No. 385, A bill for an act relating to judiciary; providing a gross misdemeanor penalty for fifth degree arson when the conduct results in bodily harm to a person; updating the fine amount for a misdemeanor penalty; amending Minnesota Statutes 2002, section 609.5632.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Holberg	Lesch	Otto	Solberg
Abrams	Dorman	Hoppe	Lieder	Ozment	Stang
Adolphson	Dorn	Hornstein	Lindgren	Paulsen	Strachan
Anderson, I.	Eastlund	Howes	Lindner	Paymar	Swenson
Atkins	Eken	Huntley	Lipman	Pelowski	Sykora
Beard	Ellison	Jacobson	Magnus	Penas	Thao
Bernardy	Entenza	Jaros	Mahoney	Peterson	Thissen
Biernat	Erhardt	Johnson, J.	Mariani	Powell	Tingelstad
Blaine	Erickson	Johnson, S.	Marquart	Pugh	Urdahl
Boudreau	Finstad	Juhnke	McNamara	Rhodes	Vandever
Bradley	Fuller	Kahn	Meslow	Ruth	Wagenius
Brod	Gerlach	Kelliher	Murphy	Samuelson	Walker
Carlson	Greiling	Klinzing	Nelson, C.	Seagren	Walz
Cornish	Gunther	Knoblach	Nelson, M.	Seifert	Wardlow
Cox	Haas	Kohls	Nelson, P.	Severson	Wasiluk
Davids	Hackbarth	Kuise	Nornes	Sieben	Westerberg
Davnie	Harder	Lanning	Olsen, S.	Simpson	Westrom
DeLaForest	Heidgerken	Larson	Opatz	Slawik	Wilkin
Demmer	Hilstrom	Latz	Osterman	Smith	Zellers
Dempsey	Hilty	Lenczewski	Otremba	Soderstrom	Spk. Sviggum

Those who voted in the negative were:

Anderson, B.	Buesgens	Koenen	Olson, M.	Sertich
Borrell	Kielkucki	Krinkie	Rukavina	

The bill was passed and its title agreed to.

Kahn was excused for the remainder of today's session.

S. F. No. 942, A bill for an act relating to evidence; authorizing admission in evidence of chain of custody documentation; amending Minnesota Statutes 2002, section 634.15, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 15 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holberg	Lieder	Ozment	Swenson
Abrams	Dorman	Hoppe	Lindgren	Paulsen	Sykora
Adolphson	Dorn	Hornstein	Lindner	Paymar	Thao
Anderson, B.	Eastlund	Howes	Lipman	Pelowski	Thissen
Anderson, J.	Eken	Huntley	Magnus	Penas	Tingelstad
Beard	Entenza	Jacobson	Mahoney	Peterson	Urdahl
Bernardy	Erhardt	Johnson, J.	Marquart	Powell	Vandever
Biernat	Erickson	Johnson, S.	McNamara	Rhodes	Wagenius
Blaine	Finstad	Kelliher	Meslow	Ruth	Walz
Borrell	Fuller	Kielkucki	Murphy	Samuelson	Wardlow
Boudreau	Gerlach	Klinzing	Nelson, C.	Seagren	Wasiluk
Bradley	Greiling	Knoblach	Nelson, M.	Seifert	Westerberg
Brod	Gunther	Kohls	Nelson, P.	Severson	Westrom
Buesgens	Haas	Krinkie	Nornes	Sieben	Wilkin
Carlson	Hackbarth	Kuisle	Olsen, S.	Simpson	Zellers
Cornish	Harder	Lanning	Olson, M.	Slawik	Spk. Sviggum
Cox	Hausman	Larson	Opatz	Smith	
Davids	Heidgerken	Latz	Osterman	Soderstrom	
DeLaForest	Hilstrom	Lenczewski	Otremba	Stang	
Demmer	Hilty	Lesch	Otto	Strachan	

Those who voted in the negative were:

Anderson, I.	Dill	Juhnke	Mullery	Sertich
Atkins	Ellison	Koenen	Pugh	Solberg
Davnie	Jaros	Mariani	Rukavina	Walker

The bill was passed and its title agreed to.

H. F. No. 988, A bill for an act relating to transportation; authorizing commissioner of transportation to replace railroad lands needed for a trunk highway; amending Minnesota Statutes 2002, section 161.241, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bernardy	Carlson	Dill	Erickson	Harder
Abrams	Biernat	Cornish	Dorman	Finstad	Hausman
Adolphson	Blaine	Cox	Dorn	Fuller	Heidgerken
Anderson, B.	Borrell	Davids	Eastlund	Gerlach	Hilstrom
Anderson, I.	Boudreau	Davnie	Eken	Greiling	Hilty
Anderson, J.	Bradley	DeLaForest	Ellison	Gunther	Holberg
Atkins	Brod	Demmer	Entenza	Haas	Hoppe
Beard	Buesgens	Dempsey	Erhardt	Hackbarth	Hornstein

Howes	Kuisle	McNamara	Ozment	Sertich	Tingelstad
Huntley	Lanning	Meslow	Paulsen	Severson	Urdahl
Jacobson	Larson	Mullery	Paymar	Sieben	Vandever
Jaros	Latz	Murphy	Pelowski	Simpson	Wagenius
Johnson, J.	Lenczewski	Nelson, C.	Penas	Slawik	Walker
Johnson, S.	Lesch	Nelson, M.	Peterson	Smith	Walz
Juhnke	Lieder	Nelson, P.	Powell	Soderstrom	Wardlow
Kelliher	Lindgren	Nornes	Pugh	Solberg	Wasiluk
Kielkucki	Lindner	Olsen, S.	Rhodes	Stang	Westerberg
Klinzing	Lipman	Olson, M.	Rukavina	Strachan	Westrom
Knoblach	Magnus	Opatz	Ruth	Swenson	Wilkin
Koenen	Mahoney	Osterman	Samuelson	Sykora	Zellers
Kohls	Mariani	Otremba	Seagren	Thao	Spk. Sviggum
Krinkie	Marquart	Otto	Seifert	Thissen	

The bill was passed and its title agreed to.

H. F. No. 1244 was reported to the House.

Jacobson moved to amend H. F. No. 1244, the first engrossment, as follows:

Page 14, line 17, strike "A"

Page 14, strike line 18

Page 14, line 19, strike everything through the period

The motion prevailed and the amendment was adopted.

Kielkucki, Jacobson, Rhodes, Atkins, Erickson, Solberg and Wasiluk moved to amend H. F. No. 1244, the first engrossment, as amended, as follows:

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 2002, section 349.12, subdivision 4, is amended to read:

Subd. 4. [BINGO.] "Bingo" means a game where each player has a bingo hard card or bingo paper sheet, for which a consideration has been paid, and played in accordance with this chapter and with rules of the board for the conduct of bingo. Bingo also includes a linked bingo game."

Page 2, after line 2, insert:

"Sec. 3. Minnesota Statutes 2002, section 349.12, subdivision 18, is amended to read:

Subd. 18. [GAMBLING EQUIPMENT.] "Gambling equipment" means: bingo hard cards or paper sheets, linked bingo paper sheets, devices for selecting bingo numbers, pull-tabs, jar tickets, paddlewheels, paddlewheel tables, paddletickets, paddleticket cards, tipboards, tipboard tickets, and pull-tab dispensing devices."

Page 2, after line 15, insert:

"Sec. 4. Minnesota Statutes 2002, section 349.12, is amended by adding a subdivision to read:

Subd. 25a. [LINKED BINGO GAME.] "Linked bingo game" means a bingo game played at two or more locations where licensed organizations are authorized to conduct bingo, where there is a common prize pool and a common selection of numbers or symbols conducted at one location, and where the results of the selection are transmitted to all participating locations by satellite, telephone, or other means by a linked bingo game provider.

Sec. 5. Minnesota Statutes 2002, section 349.12, is amended by adding a subdivision to read:

Subd. 25b. [LINKED BINGO GAME PROVIDER.] "Linked bingo game provider" means any person who provides the means to link bingo prizes in a linked bingo game, who provides linked bingo paper sheets to the participating organizations, who provides linked bingo prize management, and who provides the linked bingo game system.

Sec. 6. Minnesota Statutes 2002, section 349.12, is amended by adding a subdivision to read:

Subd. 25c. [LINKED BINGO GAME SYSTEM.] "Linked bingo game system" means the equipment used by the linked bingo provider to conduct, transmit, and track a linked bingo game. The system must be approved by the board before its use in this state and it must have dial-up or other capability to permit the board to monitor its operation remotely.

Sec. 7. Minnesota Statutes 2002, section 349.12, is amended by adding a subdivision to read:

Subd. 25d. [LINKED BINGO PRIZE POOL.] "Linked bingo prize pool" means the total of all prize money that each participating organization has contributed to the linked bingo game prize. No participating organization may contribute more than \$300 per bingo occasion to a linked bingo prize pool."

Page 7, after line 15, insert:

"Sec. 8. Minnesota Statutes 2002, section 349.151, subdivision 4, is amended to read:

Subd. 4. [POWERS AND DUTIES.] (a) The board has the following powers and duties:

- (1) to regulate lawful gambling to ensure it is conducted in the public interest;
- (2) to issue licenses to organizations, distributors, bingo halls, manufacturers, linked bingo game providers, and gambling managers;
- (3) to collect and deposit license, permit, and registration fees due under this chapter;
- (4) to receive reports required by this chapter and inspect all premises, records, books, and other documents of organizations, distributors, manufacturers, linked bingo game providers, and bingo halls to insure compliance with all applicable laws and rules;
- (5) to make rules authorized by this chapter;
- (6) to register gambling equipment and issue registration stamps;

(7) to provide by rule for the mandatory posting by organizations conducting lawful gambling of rules of play and the odds and/or house percentage on each form of lawful gambling;

(8) to report annually to the governor and legislature on its activities and on recommended changes in the laws governing gambling;

(9) to impose civil penalties of not more than \$500 per violation on organizations, distributors, employees eligible to make sales on behalf of a distributor, manufacturers, bingo halls, linked bingo game providers, and gambling managers for failure to comply with any provision of this chapter or any rule or order of the board;

(10) to issue premises permits to organizations licensed to conduct lawful gambling;

(11) to delegate to the director the authority to issue or deny license and premises permit applications and renewals under criteria established by the board;

(12) to suspend or revoke licenses and premises permits of organizations, distributors, manufacturers, bingo halls, linked bingo game providers, or gambling managers as provided in this chapter;

(13) to register employees of organizations licensed to conduct lawful gambling;

(14) to require fingerprints from persons determined by board rule to be subject to fingerprinting;

(15) to delegate to a compliance review group of the board the authority to investigate alleged violations, issue consent orders, and initiate contested cases on behalf of the board;

(16) to order organizations, distributors, manufacturers, bingo halls, linked bingo game providers, and gambling managers to take corrective actions; and

(17) to take all necessary steps to ensure the integrity of and public confidence in lawful gambling.

(b) The board, or director if authorized to act on behalf of the board, may by citation assess any organization, distributor, employee eligible to make sales on behalf of a distributor, manufacturer, bingo hall licensee, linked bingo game provider, or gambling manager a civil penalty of not more than \$500 per violation for a failure to comply with any provision of this chapter or any rule adopted or order issued by the board. Any organization, distributor, bingo hall licensee, gambling manager, linked bingo game provider, or manufacturer assessed a civil penalty under this paragraph may request a hearing before the board. Appeals of citations imposing a civil penalty are not subject to the provisions of the Administrative Procedure Act.

(c) All fees and penalties received by the board must be deposited in the general fund."

Page 8, after line 8, insert:

"Sec. 9. Minnesota Statutes 2002, section 349.153, is amended to read:

349.153 [CONFLICT OF INTEREST.]

(a) A person may not serve on the board, be the director, or be an employee of the board who has an interest in any corporation, association, limited liability company, or partnership that is licensed by the board as a distributor, manufacturer, linked bingo game provider, or a bingo hall under section 349.164.

(b) A member of the board, the director, or an employee of the board may not accept employment with, receive compensation directly or indirectly from, or enter into a contractual relationship with an organization that conducts lawful gambling, a distributor, a linked bingo game provider, a bingo hall, or a manufacturer while employed with or a member of the board or within one year after terminating employment with or leaving the board.

(c) A distributor, bingo hall, manufacturer, linked bingo game provider, or organization licensed to conduct lawful gambling may not hire a former employee, director, or member of the gambling control board for one year after the employee, director, or member has terminated employment with or left the gambling control board.

Sec. 10. Minnesota Statutes 2002, section 349.155, subdivision 3, is amended to read:

Subd. 3. [MANDATORY DISQUALIFICATIONS.] (a) In the case of licenses for manufacturers, distributors, bingo halls, linked bingo game providers, and gambling managers, the board may not issue or renew a license under this chapter, and shall revoke a license under this chapter, if the applicant or licensee, or a director, officer, partner, governor, person in a supervisory or management position of the applicant or licensee, or an employee eligible to make sales on behalf of the applicant or licensee:

(1) has ever been convicted of a felony or a crime involving gambling;

(2) has ever been convicted of (i) assault, (ii) a criminal violation involving the use of a firearm, or (iii) making terroristic threats;

(3) is or has ever been connected with or engaged in an illegal business;

(4) owes \$500 or more in delinquent taxes as defined in section 270.72;

(5) had a sales and use tax permit revoked by the commissioner of revenue within the past two years; or

(6) after demand, has not filed tax returns required by the commissioner of revenue. The board may deny or refuse to renew a license under this chapter, and may revoke a license under this chapter, if any of the conditions in this paragraph are applicable to an affiliate or direct or indirect holder of more than a five percent financial interest in the applicant or licensee.

(b) In the case of licenses for organizations, the board may not issue or renew a license under this chapter, and shall revoke a license under this chapter, if the organization, or an officer or member of the governing body of the organization:

(1) has been convicted of a felony or gross misdemeanor within the five years before the issuance or renewal of the license;

(2) has ever been convicted of a crime involving gambling; or

(3) has had a license issued by the board or director permanently revoked for violation of law or board rule."

Page 9, after line 18, insert:

"Sec. 10. Minnesota Statutes 2002, section 349.163, subdivision 3, is amended to read:

Subd. 3. [PROHIBITED SALES.] (a) A manufacturer may not:

(1) sell gambling equipment for use or resale within the state to any person not licensed as a distributor, except that gambling equipment used exclusively in a linked bingo game may be sold to a licensed linked bingo game provider; or

(2) sell gambling equipment to a distributor in this state that has the same serial number as another item of gambling equipment of the same type that is sold by that manufacturer for use or resale in this state.

(b) A manufacturer, affiliate of a manufacturer, or person acting as a representative or agent of a manufacturer may not provide a lessor of gambling premises or an appointed official any compensation, gift, gratuity, premium, contribution, or other thing of value.

(c) A manufacturer may not sell or otherwise provide a pull-tab or tipboard deal with the symbol required by subdivision 5, paragraph (h), imprinted on the flare to any person other than a licensed distributor unless the manufacturer first renders the symbol permanently invisible.

Sec. 11. [349.1635] [LINKED BINGO GAME PROVIDER LICENSE.]

Subdivision 1. [LICENSE REQUIRED.] No person may do any of the following without having first obtained a license from the board:

(1) provide the means to link prizes in a linked bingo game;

(2) provide linked bingo game prize management;

(3) provide the linked bingo game system; or

(4) provide linked bingo game paper sheets to an organization.

Subd. 2. [LICENSE APPLICATION.] The board may issue a license to a linked bingo game provider who meets the qualifications of this chapter and the rules adopted by the board. The application shall be on a form prescribed by the board. The license is valid for two years and the fee for a linked bingo game provider license is \$5,000 per year.

Subd. 3. [ATTACHMENTS TO APPLICATION.] An applicant for a linked bingo game provider license must attach to its application:

(1) evidence of a bond in the principal amount of \$250,000 payable to the state of Minnesota conditioned on the payment of all linked bingo game prizes and any other money due and payable under this chapter;

(2) detailed plans and specifications for the operation of the linked bingo game and the linked bingo game system; and

(3) any other information required by the board by rule.

Subd. 4. [PROHIBITION.] (a) Except for services associated exclusively with a linked bingo game, a linked bingo game provider may not participate or assist in the conduct of lawful gambling by an organization. No linked bingo game provider may:

(1) also be licensed as a bingo hall or hold any financial or managerial interest in a bingo hall;

(2) also be licensed as a distributor or hold any financial or managerial interest in a distributor;

(3) sell or lease linked bingo game equipment to any person not licensed as an organization;

(4) purchase gambling equipment to be used exclusively in a linked bingo game from any person not licensed as a manufacturer under section 349.163; or

(5) provide an organization, a lessor of gambling premises, or an appointed official any compensation, gift, gratuity, premium, or contribution.

(b) Employees of the board and the division of alcohol and gambling enforcement may inspect the books, records, inventory, and business premises of a licensed linked bingo game provider without notice during the normal business hours of the linked bingo game provider. The board may charge a linked bingo game provider for the actual cost of conducting scheduled or unscheduled inspections of the licensee's facilities."

Page 9, line 21, after "Bingo" insert ", except for linked bingo games."

Page 10, after line 22, insert:

"Sec. 11. Minnesota Statutes 2002, section 349.166, subdivision 2, is amended to read:

Subd. 2. [EXEMPTIONS.] (a) Lawful gambling, with the exception of linked bingo games, may be conducted by an organization without a license and without complying with sections 349.168, subdivisions 1 and 2; 349.17, subdivisions 4 and 5; 349.18, subdivision 1; and 349.19 if:

(1) the organization conducts lawful gambling on five or fewer days in a calendar year;

(2) the organization does not award more than \$50,000 in prizes for lawful gambling in a calendar year;

(3) the organization pays a fee of \$25 to the board, notifies the board in writing not less than 30 days before each lawful gambling occasion of the date and location of the occasion, or 60 days for an occasion held in the case of a city of the first class, the types of lawful gambling to be conducted, the prizes to be awarded, and receives an exemption identification number;

(4) the organization notifies the local government unit 30 days before the lawful gambling occasion, or 60 days for an occasion held in a city of the first class;

(5) the organization purchases all gambling equipment and supplies from a licensed distributor; and

(6) the organization reports to the board, on a single-page form prescribed by the board, within 30 days of each gambling occasion, the gross receipts, prizes, expenses, expenditures of net profits from the occasion, and the identification of the licensed distributor from whom all gambling equipment was purchased.

(b) If the organization fails to file a timely report as required by paragraph (a), clause (3) or (6), the board shall not issue any authorization, license, or permit to the organization to conduct lawful gambling on an exempt, excluded, or licensed basis until the report has been filed.

(c) Merchandise prizes must be valued at their fair market value.

(d) Unused pull-tab and tipboard deals must be returned to the distributor within seven working days after the end of the lawful gambling occasion. The distributor must accept and pay a refund for all returns of unopened and undamaged deals returned under this paragraph.

(e) An organization that is exempt from taxation on purchases of pull-tabs and tipboards under section 297E.02, subdivision 4, paragraph (b), clause (4), must return to the distributor any tipboard or pull-tab deal no part of which is used at the lawful gambling occasion for which it was purchased by the organization.

(f) The organization must maintain all required records of exempt gambling activity for 3-1/2 years."

Page 11, after line 21, insert:

"Sec. 12. Minnesota Statutes 2002, section 349.167, subdivision 6, is amended to read:

Subd. 6. [RECRUITMENT OF GAMBLING MANAGERS.] No organization may seek or accept assistance from a manufacturer ~~or~~ distributor, or linked bingo game provider, or a representative, agent, affiliate, or employee of a manufacturer ~~or~~ distributor, or linked bingo game provider, in identifying or recruiting candidates to become a gambling manager for the organization."

Page 14, after line 6, insert:

"Sec. 19. Minnesota Statutes 2002, section 349.17, subdivision 3, is amended to read:

Subd. 3. [WINNERS.] Each bingo winner must be determined and every prize shall be awarded and delivered the same day on which the bingo occasion is conducted, except that prizes won in a linked bingo game must be delivered within three business days of the day on which the occasion was conducted.

Sec. 20. Minnesota Statutes 2002, section 349.17, subdivision 6, is amended to read:

Subd. 6. [CONDUCT OF BINGO.] (a) Each bingo hard card and paper sheets must have five horizontal rows of spaces with each row except one having five numbers. The center row must have four numbers and the center space marked "free." Each column must have one of the letters B-I-N-G-O in order at the top. Bingo paper sheets may also have numbers that are not preprinted but are filled in by players.

(b) A game of bingo begins with the first letter and number called. Each player must cover or mark with a liquid dauber the numbers when bingo balls, similarly numbered, are randomly drawn, announced, and displayed to the players, either manually or with a flashboard and monitor. The game is won when a player has covered or marked a previously designated arrangement of numbers on the card or sheet and declared bingo. The game is completed when a winning card or sheet is verified and a prize awarded, except that prizes won in linked bingo games may be awarded pursuant to subdivision 3.

Sec. 21. Minnesota Statutes 2002, section 349.17, subdivision 7, is amended to read:

Subd. 7. [NOON HOUR BINGO.] Notwithstanding subdivisions 1 and 3, an organization may conduct bingo subject to the following restrictions:

- (1) the bingo is conducted only between the hours of 11:00 a.m. and 2:00 p.m.;
- (2) the bingo is conducted at a site the organization owns or leases and which has a license for the sale of intoxicating beverages on the premises under chapter 340A;
- (3) the bingo is limited to one progressive bingo game per site as defined by section 349.211, subdivision 2;
- (4) the bingo is conducted using only bingo paper sheets; ~~and~~

(5) if the premises are leased, the rent may not exceed \$25 per day for each day bingo is conducted; and

(6) linked bingo games may not be conducted at a noon hour bingo occasion.

Sec. 22. Minnesota Statutes 2002, section 349.17, is amended by adding a subdivision to read:

Subd. 8. [LINKED BINGO GAMES.] (a) A licensed organization may conduct or participate in a linked bingo game in association with one or more other licensed organizations.

(b) Each participating licensed organization shall contribute to each prize awarded in a linked bingo game in an amount not to exceed \$300 per occasion.

(c) The board may adopt rules to:

(1) specify the manner in which a linked bingo game must be played and how the linked bingo prizes must be awarded;

(2) specify the records to be maintained by a linked bingo game provider;

(3) require the submission of periodic reports by the linked bingo game provider and specify the content of the reports;

(4) establish the qualifications required to be licensed as a linked bingo game provider; and

(5) any other matter involving the operation of a linked bingo game."

Page 15, line 36, after "lessor," insert "linked bingo game provider."

Page 16, after line 35, insert:

"Sec. 20. Minnesota Statutes 2002, section 349.19, is amended by adding a subdivision to read:

Subd. 2b. [LINKED BINGO PRIZE POOL ACCOUNT.] A licensed organization participating in a linked bingo game must maintain a separate account in a bank for the deposit of the organization's portion of the linked bingo game prize pool. The name of the bank, the account number, and authorization for electronic funds transfer must be provided by the organization to the linked bingo game provider. Deposits must be made into the account by the organization as designated by the linked bingo game provider. Money in the account must be available to the linked bingo game provider at all times by electronic funds transfer, unless the linked bingo game provider agrees to the transfer of the funds by other means."

Page 18, after line 7, insert:

"Sec. 21. Minnesota Statutes 2002, section 349.191, subdivision 1, is amended to read:

Subdivision 1. [CREDIT RESTRICTION.] A manufacturer may not offer or extend to a distributor, a linked bingo game provider may not offer or extend to an organization, and a distributor may not offer or extend to an organization, credit for a period of more than 30 days for the sale or lease of any gambling equipment. No right of action exists for the collection of any claim based on credit prohibited by this subdivision. The 30-day period allowed by this subdivision begins with the day immediately following the day of invoice and includes all successive days, including Sundays and holidays, to and including the 30th successive day.

Sec. 22. Minnesota Statutes 2002, section 349.191, subdivision 1a, is amended to read:

Subd. 1a. [CREDIT AND SALES TO DELINQUENT ORGANIZATIONS.] (a) If a distributor or linked bingo game provider does not receive payment in full from an organization within 35 days of the day immediately following the date of the invoice, the distributor or linked bingo game provider must notify the board in writing of the delinquency on the next business day.

(b) If a distributor or linked bingo game provider who has notified the board under paragraph (a) has not received payment in full from the organization within 60 days of the notification under paragraph (a), the distributor or linked bingo game provider must notify the board of the continuing delinquency.

(c) On receipt of a notice under paragraph (a), the board shall order all distributors and linked bingo game providers that until further notice from the board, they may sell gambling equipment to the delinquent organizations only on a cash basis with no credit extended. On receipt of a notice under paragraph (b), the board shall order all distributors and linked bingo game providers not to sell any gambling equipment to the delinquent organization.

(d) No distributor or linked bingo game provider may extend credit or sell gambling equipment to an organization in violation of an order under paragraph (c) until the board has authorized such credit or sale.

Sec. 23. Minnesota Statutes 2002, section 349.211, subdivision 1, is amended to read:

Subdivision 1. [BINGO.] Except as provided in ~~subdivision~~ subdivisions 1a and 2, prizes for a single bingo game may not exceed \$200 except prizes for a cover-all game, which may exceed \$200 if the aggregate value of all cover-all prizes in a bingo occasion does not exceed \$1,000. Total prizes awarded at a bingo occasion may not exceed \$2,500, unless a cover-all game is played in which case the limit is \$3,500. A prize may be determined based on the value of the bingo packet sold to the player. For purposes of this subdivision, a cover-all game is one in which a player must cover all spaces except a single free space to win.

Sec. 24. Minnesota Statutes 2002, section 349.211, is amended by adding a subdivision to read:

Subd. 1a. [LINKED BINGO PRIZES.] Prizes for a linked bingo game shall be limited as follows:

(1) no organization may contribute more than \$300 per occasion to a linked bingo game prize pool; and

(2) if an organization contributes to a linked bingo game prize pool, the organization's aggregate value of cover-all prizes available during the bingo occasion must be reduced by the amount contributed to the linked bingo game prize pool."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Boudreau to the Chair.

Howes moved to amend H. F. No. 1244, the first engrossment, as amended, as follows:

Page 18, line 21, reinstate the stricken "and"

Page 18, line 26, delete "and"

Page 18, delete lines 27 to 30

Page 18, line 31, delete everything before the period

The motion did not prevail and the amendment was not adopted.

H. F. No. 1244, A bill for an act relating to lawful gambling; making various clarifying and technical changes; providing and modifying definitions; permitting resale of certain gambling equipment; providing for fees, prices, and prize limits; clarifying requirements for gambling managers and employees, premises, records and reports; regulating linked bingo games; clarifying conduct of high school raffles; amending Minnesota Statutes 2002, sections 349.12, subdivisions 4, 18, 19, 25, by adding subdivisions; 349.151, subdivisions 4, 4b; 349.153; 349.155, subdivision 3; 349.161, subdivision 5; 349.163, subdivision 3; 349.166, subdivisions 1, 2; 349.167, subdivisions 4, 6, 7; 349.168, subdivisions 1, 2, 6, by adding a subdivision; 349.169, subdivisions 1, 3; 349.17, subdivisions 3, 6, 7, by adding a subdivision; 349.18, subdivision 1; 349.19, subdivision 3, by adding a subdivision; 349.191, subdivisions 1, 1a; 349.211, subdivision 1, by adding a subdivision; 609.761, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 349; repealing Minnesota Statutes 2002, sections 349.168, subdivision 9.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 100 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Abeler	Cox	Heidgerken	Lindgren	Pelowski	Stang
Abrams	Dauids	Hilstrom	Magnus	Penas	Strachan
Adolphson	Demmer	Hilty	Mariani	Peterson	Swenson
Anderson, I.	Dempsey	Jacobson	Marquart	Powell	Sykora
Anderson, J.	Dill	Jaros	McNamara	Pugh	Thao
Atkins	Dorman	Johnson, J.	Meslow	Rhodes	Tingelstad
Beard	Dorn	Johnson, S.	Murphy	Rukavina	Urdahl
Bernardy	Eken	Juhnke	Nelson, C.	Ruth	Vandever
Biernat	Entenza	Kielkucki	Nelson, P.	Samuelson	Wardlow
Blaine	Erhardt	Knoblach	Nornes	Seifert	Wasiluk
Borrell	Erickson	Koenen	Olsen, S.	Sertich	Westerberg
Boudreau	Finstad	Kohls	Opatz	Severson	Westrom
Bradley	Fuller	Kuisle	Osterman	Sieben	Wilkin
Brod	Gerlach	Lanning	Otremba	Simpson	Zellers
Buesgens	Gunther	Latz	Otto	Smith	Spk. Sviggum
Carlson	Haas	Lesch	Ozment	Soderstrom	
Cornish	Hackbarth	Lieder	Paulsen	Solberg	

Those who voted in the negative were:

Anderson, B.	Greiling	Hornstein	Krinkie	Nelson, M.	Thissen
Davnie	Harder	Howes	Larson	Olson, M.	Wagenius
DeLaForest	Hausman	Huntley	Lenczewski	Paymar	Walker
Eastlund	Holberg	Kelliher	Lindner	Seagren	Walz
Ellison	Hoppe	Klinzing	Mahoney	Slawik	

The bill was passed, as amended, and its title agreed to.

S. F. No. 1071, A bill for an act relating to health; applying licensure regulations and requirements to the alkaline hydrolysis process; amending Minnesota Statutes 2002, section 149A.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 149A.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holberg	Lesch	Otto	Solberg
Abrams	Dill	Hoppe	Lieder	Ozment	Stang
Adolphson	Dorman	Hornstein	Lindgren	Paulsen	Strachan
Anderson, B.	Dorn	Howes	Lindner	Paymar	Swenson
Anderson, I.	Eastlund	Huntley	Lipman	Pelowski	Sykora
Anderson, J.	Eken	Jacobson	Magnus	Penas	Thao
Beard	Ellison	Jaros	Mahoney	Peterson	Thissen
Bernardy	Entenza	Johnson, J.	Mariani	Powell	Tingelstad
Biernat	Erhardt	Johnson, S.	Marquart	Pugh	Urdahl
Blaine	Erickson	Juhnke	McNamara	Rhodes	Wagenius
Borrell	Finstad	Kelliher	Meslow	Rukavina	Walker
Boudreau	Fuller	Kielkucki	Mullery	Ruth	Walz
Bradley	Gerlach	Klinzing	Murphy	Samuelson	Wardlow
Brod	Greiling	Knoblach	Nelson, C.	Seagren	Wasiluk
Buesgens	Gunther	Koenen	Nelson, M.	Seifert	Westerberg
Carlson	Haas	Kohls	Nelson, P.	Sertich	Westrom
Cornish	Hackbarth	Krinkie	Nornes	Severson	Wilkin
Cox	Harder	Kuisle	Olsen, S.	Sieben	Zellers
Davids	Hausman	Lanning	Olson, M.	Simpson	Spk. Sviggum
Davnie	Heidgerken	Larson	Opatz	Slawik	
DeLaForest	Hilstrom	Latz	Osterman	Smith	
Demmer	Hilty	Lenczewski	Otremba	Soderstrom	

Those who voted in the negative were:

Vandevier

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

H. F. No. 943, A bill for an act relating to state government; modifying practices and procedures relating to state finance; transferring state treasurer duties to the commissioner of finance; amending Minnesota Statutes 2002, sections 7.26; 15.62, subdivisions 2, 3; 16A.10, subdivisions 1, 2; 16A.11, subdivision 3; 16A.127, subdivision 4; 16A.1285, subdivision 3; 16A.129, subdivision 3; 16A.133, subdivision 1; 16A.14, subdivision 3; 16A.17, by adding a subdivision; 16A.27, subdivision 5; 16A.40; 16A.46; 16A.501; 16A.626; 16A.642, subdivision 1; 16D.09, subdivision 1; 16D.13, subdivisions 1, 2; 35.08; 35.09, subdivision 3; 49.24, subdivisions 13, 16; 84A.11; 84A.23, subdivision 4; 84A.33, subdivision 4; 84A.40; 85A.05, subdivision 2; 94.53; 115A.58, subdivision 2; 116.16, subdivision 4; 116.17, subdivision 2; 122A.21; 126C.72, subdivision 2; 127A.40; 161.05, subdivision 3; 161.07;

167.50, subdivision 2; 174.51, subdivision 2; 176.181, subdivision 2; 176.581; 190.11; 241.08, subdivision 1; 241.10; 241.13, subdivision 1; 244.19, subdivision 7; 245.697, subdivision 2a; 246.15, subdivision 1; 246.18, subdivision 1; 246.21; 276.11, subdivision 1; 280.29; 293.06; 299D.03, subdivision 5; 352.05; 352B.03, subdivision 2; 354.06, subdivision 3; 354.52, subdivision 5; 385.05; 475A.04; 475A.06, subdivision 2; 481.01; 490.123, subdivision 2; 525.161; 525.841; repealing Minnesota Statutes 2002, sections 7.21; 16A.06, subdivision 10; 16A.131, subdivision 1; 16D.03, subdivision 3; 16D.09, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Holberg	Magnus	Rhodes	Tingelstad
Abrams	Dorman	Hoppe	Marquart	Ruth	Urdahl
Anderson, J.	Erhardt	Howes	Meslow	Seagren	Walz
Beard	Finstad	Jaros	Nelson, C.	Seifert	Wardlow
Boudreau	Fuller	Johnson, J.	Nelson, P.	Severson	Westrom
Bradley	Gerlach	Knoblach	Nornes	Simpson	Wilkin
Brod	Greiling	Kohls	Olsen, S.	Soderstrom	Zellers
Cornish	Gunther	Kuisle	Opatz	Stang	Spk. Sviggum
Cox	Haas	Lanning	Osterman	Strachan	
Davids	Hackbarth	Larson	Ozment	Swenson	
Demmer	Harder	Lenczewski	Paulsen	Sykora	
Dempsey	Heidgerken	Lindgren	Penas	Thissen	

Those who voted in the negative were:

Adolphson	Dorn	Jacobson	Lindner	Pelowski	Thao
Anderson, B.	Eastlund	Johnson, S.	Mahoney	Peterson	Vandever
Anderson, I.	Eken	Juhnke	Mariani	Powell	Wagenius
Atkins	Ellison	Kelliher	McNamara	Pugh	Walker
Bernardy	Entenza	Kielkucki	Mullery	Rukavina	Wasiluk
Biernat	Erickson	Klinzing	Murphy	Samuelson	Westerberg
Borrell	Hausman	Koenen	Nelson, M.	Sertich	
Buesgens	Hilstrom	Krinkie	Olson, M.	Sieben	
Carlson	Hilty	Latz	Otremba	Slawik	
Davnie	Hornstein	Lesch	Otto	Smith	
DeLaForest	Huntley	Lieder	Paymar	Solberg	

The bill was passed and its title agreed to.

H. F. No. 414 was reported to the House.

Kuisle moved to amend H. F. No. 414, the second engrossment, as follows:

Page 2, line 6, reinstate the stricken "and" and delete the comma

Page 2, line 7, delete the new language

Page 3, line 3, reinstate the stricken "and" and delete the comma

Page 3, line 4, delete the new language

A roll call was requested and properly seconded.

The question was taken on the Kuisle amendment and the roll was called. There were 55 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Adolphson	DeLaForest	Hackbarth	Lindgren	Ruth	Walz
Anderson, B.	Demmer	Harder	Lindner	Seifert	Westrom
Anderson, J.	Dorman	Heidgerken	Lipman	Severson	Wilkin
Blaine	Eastlund	Holberg	Magnus	Simpson	Zellers
Borrell	Erickson	Howes	Marquart	Solberg	Spk. Sviggum
Boudreau	Finstad	Johnson, J.	Meslow	Stang	
Bradley	Fuller	Kielkucki	Nornes	Strachan	
Brod	Gerlach	Klinzing	Olsen, S.	Swenson	
Buesgens	Gunther	Kohls	Olson, M.	Urdahl	
Davids	Haas	Kuisle	Penas	Vandevveer	

Those who voted in the negative were:

Abeler	Eken	Johnson, S.	McNamara	Pelowski	Thao
Anderson, I.	Ellison	Juhnke	Mullery	Peterson	Thissen
Atkins	Entenza	Kelliher	Murphy	Pugh	Tingelstad
Beard	Erhardt	Knoblach	Nelson, C.	Rhodes	Wagenius
Bernardy	Greiling	Koenen	Nelson, M.	Rukavina	Walker
Biernat	Hausman	Lanning	Nelson, P.	Samuelson	Wardlow
Carlson	Hilstrom	Larson	Opatz	Seagren	Wasiluk
Cornish	Hilty	Latz	Osterman	Sertich	Westerberg
Cox	Hoppe	Lenczewski	Otremba	Sieben	
Davnie	Hornstein	Lesch	Otto	Slawik	
Dempsey	Huntley	Lieder	Ozment	Smith	
Dill	Jacobson	Mahoney	Paulsen	Soderstrom	
Dorn	Jaros	Mariani	Paymar	Sykora	

The motion did not prevail and the amendment was not adopted.

H. F. No. 414, A bill for an act relating to natural resources; updating soil and water conservation district law; changing requirements for petitions and elections relating to soil and water conservation districts; clarifying removal provisions for soil and water conservation district supervisors; amending Minnesota Statutes 2002, sections 103A.206; 103C.005; 103C.101, subdivisions 6, 9, by adding a subdivision; 103C.201, subdivisions 1, 2, 5, 6, 7, 8; 103C.205; 103C.211; 103C.225, subdivisions 1, 3, 4, 8; 103C.305, subdivision 1; 103C.311, subdivisions 1, 2; 103C.315, subdivisions 1, 2, 4, 5; 103C.331, subdivisions 11, 12, 19, by adding a subdivision; 103C.401, subdivisions 1, 2; 351.14, subdivision 5; repealing Minnesota Statutes 2002, section 103C.301.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hilty	Lieder	Paulsen	Solberg
Abrams	Dill	Hoppe	Lindgren	Paymar	Stang
Anderson, I.	Dorn	Hornstein	Magnus	Pelowski	Strachan
Anderson, J.	Eastlund	Huntley	Mahoney	Penas	Swenson
Atkins	Eken	Jacobson	Mariani	Peterson	Sykora
Beard	Ellison	Jaros	McNamara	Pugh	Thao
Bernardy	Entenza	Johnson, J.	Meslow	Rhodes	Thissen
Biernat	Erhardt	Johnson, S.	Mullery	Rukavina	Tingelstad
Blaine	Erickson	Juhnke	Murphy	Ruth	Urdahl
Borrell	Finstad	Kelliher	Nelson, C.	Samuelson	Wagenius
Boudreau	Fuller	Klinzing	Nelson, M.	Seagren	Walker
Bradley	Greiling	Knoblach	Nelson, P.	Seifert	Walz
Brod	Gunther	Koenen	Nornes	Sertich	Wardlow
Carlson	Haas	Kohls	Olsen, S.	Severson	Wasiluk
Cornish	Hackbarth	Lanning	Opatz	Sieben	Westrom
Cox	Harder	Larson	Osterman	Simpson	Spk. Sviggum
Davnie	Hausman	Latz	Otremba	Slawik	
DeLaForest	Heidgerken	Lenczewski	Otto	Smith	
Demmer	Hilstrom	Lesch	Ozment	Soderstrom	

Those who voted in the negative were:

Adolphson	Dorman	Krinkie	Marquart	Westerberg
Anderson, B.	Holberg	Kuise	Olson, M.	Wilkin
Buesgens	Howes	Lindner	Powell	Zellers
Dauids	Kielkucki	Lipman	Vandever	

The bill was passed and its title agreed to.

S. F. No. 1098 was reported to the House.

Mahoney moved to amend S. F. No. 1098 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 817, the second engrossment:

"Section 1. Minnesota Statutes 2002, section 182.65, subdivision 2, is amended to read:

Subd. 2. The legislature finds that the burden on employers and employees of this state resulting from personal injuries and illnesses arising out of work situations is substantial; that the prevention of these injuries and illnesses is an important objective of the government of this state; that the greatest hope of attaining this objective lies in programs of research and education, and in the earnest cooperation of government, employers and employees; and that a program of regulation and enforcement is a necessary supplement to these more basic programs.

The legislature declares it to be its purpose and policy through the exercise of its powers to assure so far as possible every worker in the state of Minnesota safe and healthful working conditions and to preserve our human resources by

(a) Authorizing the occupational safety and health advisory council to advise, consult with or recommend on any matters relating to the Minnesota occupational safety and health plan to the commissioner of labor and industry ~~and the state commissioner of health~~ and by authorizing the commissioner of labor and industry to promulgate and enforce mandatory occupational safety and health standards applicable to employers and employees in the state of Minnesota;

(b) Encouraging employers and employees to increase their efforts to reduce the number of occupational safety and health hazards at their places of employment, and to stimulate employers and employees to institute new and to perfect existing programs for providing safe and healthful working conditions;

(c) Providing that employers and employees have separate but dependent responsibilities and rights with respect to achieving safe and healthful working conditions;

(d) Providing for research in the field of occupational safety and health; including the psychological factors involved, and by developing innovative methods, techniques, and approaches for dealing with occupational safety and health problems;

(e) Exploring ways to discover latent diseases, establishing causal connections between diseases and work in environmental conditions, and conducting other research relating to health problems, in recognition of the fact that occupational health standards present problems often different from those involved in occupational safety;

(f) Utilizing advances already made by federal laws and regulations providing safe and healthful working conditions;

(g) Providing criteria which will assure insofar as practicable that no employee will suffer diminished health, functional capacity, or life expectancy as a result of work experience;

(h) Providing an effective enforcement program which shall include a prohibition against giving advance notice of an inspection and sanctions for any individual violating this prohibition;

(i) Providing for appropriate reporting procedures with respect to occupational safety and health, which procedures will help achieve the objectives of this chapter and accurately describe the nature of the occupational safety and health problem;

(j) Encouraging joint labor-management efforts to reduce injuries and diseases arising out of employment;

(k) Providing consultation to employees and employers which will aid them in complying with their responsibilities under this chapter where such consultation does not interfere with the effective enforcement of this chapter;

(l) Providing for training programs to increase the number and competence of personnel engaged in the field of occupational safety and health.

Sec. 2. Minnesota Statutes 2002, section 182.656, subdivision 1, is amended to read:

Subdivision 1. An occupational safety and health advisory council consisting of 12 members appointed by the commissioner of labor and industry is created to advise the department. The council members shall be chosen so that three shall represent management; three shall represent labor; three shall represent occupational safety and health professions; and three shall represent the general public.

The commissioner of labor and industry shall designate one of the public members as chair. The members shall be selected upon the basis of their experience and competence in the field of occupational safety and health. The commissioner of labor and industry ~~and the state commissioner of health~~ shall be an ex officio member ~~members member~~ and ~~the commissioner of labor and industry~~ shall serve as secretary of the council. The council shall elect from its members, by a concurring vote of not less than six members, other officers as necessary to carry out the duties thereof.

Sec. 3. Minnesota Statutes 2002, section 182.66, subdivision 2, is amended to read:

Subd. 2. Each citation issued under this section, and the penalty proposed to be assessed under section 182.666, or a copy or copies thereof, shall be prominently posted, as prescribed in rules issued by the commissioner, at or near each place a violation referred to in the citation occurred. Each citation and proposed penalty shall be posted for a minimum period of ~~45~~ 20 days.

Sec. 4. Minnesota Statutes 2002, section 182.666, subdivision 2, is amended to read:

Subd. 2. Any employer who has received a citation for a serious violation of its duties under section 182.653, or any standard, rule, or order adopted under the authority of the commissioner as provided in this chapter, shall be assessed a fine not to exceed \$7,000 for each violation. If a serious violation under section 182.653, subdivision 2, causes or contributes to the death of an employee, the employer shall be assessed a fine of up to \$25,000.

Sec. 5. Minnesota Statutes 2002, section 182.666, subdivision 2a, is amended to read:

Subd. 2a. (a) Notwithstanding any other provision of this section, if any (1) serious, willful, or repeated violation other than a violation of section 182.653, subdivision 2; or (2) any failure to correct a violation pursuant to subdivision 4 causes or contributes to the death of an employee, the minimum total nonnegotiable fine which shall be assessed for all citations connected to the death of an employee is \$50,000 if there is a willful or repeated violation or \$25,000 if there is no willful or repeated violation, except as provided in paragraph (b).

(b) If there is no willful or repeated violation and the employer has fewer than 50 employees, the employer shall be assessed an initial fine of \$5,000 and an additional fine of \$5,000 for each of the following four years. The commissioner may elect to waive the \$5,000 fine for any of the following four years if the employer received no citations in the preceding calendar year."

Delete the title and insert:

"A bill for an act relating to occupational safety and health; eliminating certain responsibilities of the commissioner of health; increasing penalty limits for certain violations; amending Minnesota Statutes 2002, sections 182.65, subdivision 2; 182.656, subdivision 1; 182.66, subdivision 2; 182.666, subdivisions 2, 2a."

The motion prevailed and the amendment was adopted.

Stang moved to amend S. F. No. 1098, as amended, as follows:

Page 4, after line 33, insert:

"(c) If the business or enterprise employs fewer than 50 employees, this subdivision does not apply to the death of an employee who owns a controlling interest in the business or enterprise, except if the commissioner determines that a fine shall be assessed."

The motion prevailed and the amendment was adopted.

S. F. No. 1098, A bill for an act relating to occupational safety and health; eliminating certain responsibilities of the commissioner of health; increasing penalty limits for certain violations; amending Minnesota Statutes 2002, sections 182.65, subdivision 2; 182.656, subdivision 1; 182.66, subdivision 2; 182.666, subdivision 2.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Hoppe	Lieder	Ozment	Strachan
Abrams	Dempsey	Hornstein	Lindgren	Paulsen	Swenson
Adolphson	Dill	Howes	Lindner	Paymar	Sykora
Anderson, B.	Dorman	Huntley	Lipman	Pelowski	Thao
Anderson, I.	Dorn	Jacobson	Magnus	Penas	Thissen
Anderson, J.	Eastlund	Jaros	Mahoney	Peterson	Tingelstad
Atkins	Eken	Johnson, J.	Mariani	Powell	Urdahl
Beard	Entenza	Johnson, S.	Marquart	Pugh	Vandever
Bernardy	Erhardt	Juhnke	McNamara	Rhodes	Wagenius
Biernat	Erickson	Kelliher	Meslow	Ruth	Walz
Blaine	Finstad	Kielkucki	Mullery	Samuelson	Wardlow
Borrell	Fuller	Klinzing	Murphy	Seagren	Wasiluk
Boudreau	Gerlach	Knoblach	Nelson, C.	Seifert	Westerberg
Bradley	Greiling	Koenen	Nelson, M.	Sertich	Westrom
Brod	Gunther	Kohls	Nelson, P.	Severson	Wilkin
Buesgens	Haas	Krinkie	Nornes	Sieben	Zellers
Carlson	Hackbarth	Kuisle	Olsen, S.	Simpson	Spk. Sviggum
Cornish	Harder	Lanning	Olson, M.	Slawik	
Cox	Hausman	Larson	Opatz	Smith	
Davids	Heidgerken	Latz	Osterman	Soderstrom	
Davnie	Hilstrom	Lenczewski	Otremba	Solberg	
DeLaForest	Hilty	Lesch	Otto	Stang	

Those who voted in the negative were:

Ellison	Holberg	Rukavina	Walker
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The bill was passed, as amended, and its title agreed to.

H. F. No. 818 was reported to the House.

Tingelstad moved that H. F. No. 818 be returned to the General Register. The motion prevailed.

Paulsen moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Boudreau moved that the name of Tingelstad be added as an author on House Resolution No. 9. The motion prevailed.

Knoblach moved that H. F. No. 606, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

Kohls moved that S. F. No. 872, now on the General Register, be re-referred to the Committee on Civil Law. The motion prevailed.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 10:00 a.m., Tuesday, May 6, 2003. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Tuesday, May 6, 2003.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

